



human settlements

Department:

Human Settlements

PROVINCE OF KWAZULU-NATAL

POLICY GUIDELINE FOR THE EXPANDED PUBLIC WORKS PROGRAMME (EPWP)

Abbreviations

EPWP:	Expanded Public Works Programme
DEPARTMENT:	Kwazulu-Natal Department Of Human Settlements
DHS:	National Department of Human Settlements
NDPW:	National Department of Public Works
PM:	Project Management
SCM:	Supply Chain Management
IA:	Implementing Agent
FTE's:	Full time equivalent jobs

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1. INTRODUCTION

The Expanded Public Works Programme (EPWP) is a government strategic intervention programme aimed at alleviating poverty, reducing unemployment and providing livelihoods for the most disadvantaged sector of society. The Programme is focused on the unemployed, under-skilled and under-qualified persons and aims to address unemployment and increase economic growth, to improve skills levels through education and training and to improve the environment for industry to flourish.

The Policy Guideline is to ensure that there is active participation in achieving the targets set in terms of the Incentive Grant Agreement by highlighting and clarifying the roles and responsibilities of the relevant stakeholders.

1.1 BACKGROUND

In the State of the Nation Address by His Excellency Jacob G Zuma, President of the Republic of South Africa, concern was expressed that unemployment and poverty persist despite the economic growth experienced in the past 10 years. To address these concerns, 2011 was declared a year of job creation through meaningful economic transformation and inclusive growth.

The KZN Budget Speech of 2011/12, called for “all government departments to put appropriate programmes in place and to establish the right environment for the creation of many decent and sustainable jobs”.

The EPWP is one such programme that is related to Government programmes that are proposed to focus on unemployment and increase economic growth, to improve the level of skills and the environment for industry to flourish. It is aimed at alleviating poverty, reducing unemployment and providing livelihoods for the most disadvantaged sector of society.

On the 9th June 2011, an Incentive Grant Agreement was entered into between the KZN Department of Human Settlements and the National Department of Public Works as a commitment that the Department will contribute to job creation through EPWP, promote the objectives of the EPWP, utilise the incentive effectively and achieve the targeted number of full time equivalent jobs through EPWP by end of March 2012.

1.2 GUIDING PRINCIPLES

Compliance with the Province’s and Nation’s effort to create the right environment for job creation and economic growth.

Compliance with the Incentive Grant Agreement entered into between the KZN Department of Human Settlements and NDPW.

The Housing Sector can contribute directly to the Infrastructure Sector’s initiatives for job creation by increasing the labour-intensity of appropriate activities in the housing delivery process.

Effective and efficient processes need to be adopted to ensure successful implementation of the EPWP and contribution to the State President's efforts for job creation.

2. NATIONAL POLICIES AND IMPLEMENTATION GUIDELINES

The EPWP for Human Settlements is to be implemented in terms of the Guidelines as contained in the National Housing Code 2009 which explain the intention of the Programme as well as the processes and mechanisms in place to implement, monitor and evaluate. In terms of the Housing Code, the Housing sector is expected to apply the Guidelines for the Implementation of Labour-Intensive Infrastructure Projects under the EPWP. These guidelines provide the necessary tools to successfully tender these projects as labour-intensive projects. The guidelines contain sections which can be copied into the relevant parts of the contract documentation for consulting engineers and contractors. It also includes the contents of the Code of Good Practice for Special Public Works Programmes, which has been gazetted by the Department of Labour, and provides for special conditions of employment for these EPWP projects. The Code of Good Practice, addresses among others, issues of training, labour and determination of the rate of pay. A copy of these guidelines is attached as Annexure A.

The draft Provincial Policy Framework for the Implementation of phase 2 of the EPWP should also be consulted in the Department's implementation of EPWP once approved.

3. TARGETS AND THE INCENTIVE GRANT

In terms of the Incentive Grant Agreement, the Department's performance target for the 2011/12 financial year is 20 836 FTE's to be created with the minimum threshold being 20 787 FTE's.

The aim of the incentive grant is to motivate the Department to improve the labour intensity of its infrastructure programmes through labour intensive employment and the expansion of job creation in line with the EPWP guidelines. The grant is available for payment to the Department on a pro rata basis as the Department's performance reaches and meets the performance target.

3.1 CONDITIONS ON THE USE OF THE INCENTIVE GRANT

- a) The grant cannot be used for any other purpose except EPWP and must be applied to continuing or expanding job creation programmes in the sector.
- b) The EPWP target group may not be paid below the minimum wage rate of R60 per person day of work and comply with all conditions in the Ministerial Determination for Public Works Programmes.
- c) Supplementary capacity for EPWP management and reporting can be contracted using a maximum of 5% of the grant.
- d) The EPWP incentive grant expenditure must be reported to the Provincial Treasury in the monthly In-Year-Monitoring tool and a copy sent to the NDPW.

4. CLASSIFICATION OF EPWP PROJECTS

EPWP projects are all housing projects or phases of projects that go out to tender from the date of approval of these guidelines. It also includes existing projects that are currently creating job opportunities through the implementation of labour intensive methods.

5. PROVINCIAL PROCESSES

In order to ensure effective implementation of the EPWP in the province, all role-players need to actively participate through their respective functions to achieve Provincial targets as well as comply with reporting procedures.

5.1 ROLES AND RESPONSIBILITIES

Role-player	Responsibility
Project Management	Identification of projects, registering of projects with EPWP, monitoring & collation of data
Contracts	Ensure that all contracts and tender documents include EPWP requirements
Municipal Support & Consumer Education	Mentorship or Training of participants
Supply Chain Management & Municipalities	Ensure that all tender documents include EPWP requirements
Implementing Agents/ contractors	Implement projects in terms of EPWP and report on EPWP beneficiary information
Integrated Planning	Project prioritization , funding allocation & identification of capacity needs
Monitoring & Evaluation	Assess reports to monitor & evaluate implementation. Reporting of EPWP data as per attached template or any other template developed over time
Finance	Manage, disburse and report on EPWP grant

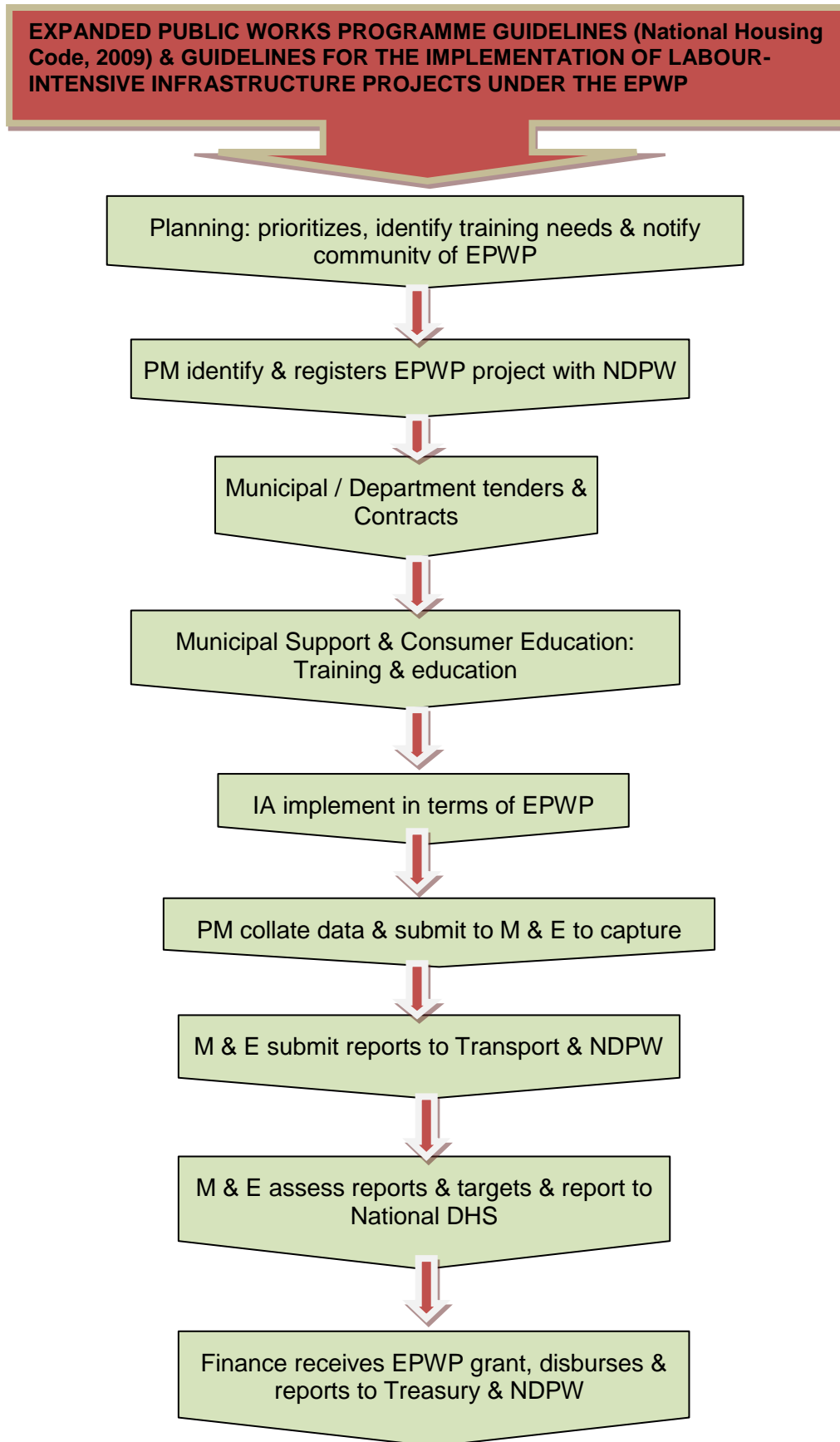
- a) The Integrated Planning directorate ensures that projects are identified and prioritized in the Housing Sector Plans and funding allocated in terms of the respective municipalities plans. The process of community facilitation should ensure that capacity needs are identified as well as issues and opportunities for EPWP are addressed with community members and captured in the Social Compact.
- b) Project Management identifies at the prefeasibility stage how projects can absorb a lot of local labour suitable for the adoption of the EPWP’s labour intensive methodology.
 - PM registers the projects with EPWP by submitting the registration form, business plan form and the beneficiary information. The said information will be captured by the data capturers from National Public Works.
 - PM collates monthly EPWP data on all applicable projects and submits to the Monitoring and Evaluation Directorate for capturing on the EPWP templates through the National Department of Public Work’s database or any other template developed over time.

- c) Upon procurement, the Municipality under guidance of Project Management ensures tender call documents inform prospective service providers of the EPWP compliance. This is also applicable to the Department's SCM Directorate in work undertaken directly by the Province.
- d) The Contracts directorate must ensure the inclusion of the EPWP conditions in all applicable contracts.
- e) The implementing agent or contractor will implement projects in terms of the National EPWP guidelines. They must report on EPWP beneficiary information, including personal details of beneficiaries with more emphasis on beneficiaries who are youth, women and beneficiaries with disabilities, person's days of work per month, person's days of training, stipends & any other information that may be required for reporting.
- f) The Municipal Support and Consumer Education directorate should arrange and administer training programmes where capacity needs are identified during the facilitation stage. The existing training programmes must be coordinated and linked to the EPWP to ensure achievement and success of their efforts. The incentive grant may provide a source of funding for training programmes for EPWP. The Housing Consumer Education Programmes and any stakeholder fora such as the Amakhosi and Councillor Training on Human Settlements Development must clearly articulate how communities can access such employment opportunities.
- g) The Monitoring and Evaluation directorate will monitor submission of data and assess targets to determine success and challenges as well as the impact of the EPWP on the housing sector.
 - Capture monthly data submitted by PM on the templates through the National Department of Public Work's database or any other template developed over time. The NDPW templates are attached as Annexure B.
 - A consolidated sector progress report, with the updated beneficiary information, must be forwarded to the Provincial Department of Transport, the province's coordinating department for the EPWP and to the National Department of Public Works as the champions of EPWP.
 - Quarterly progress reports must be submitted to the National Department of Human Settlements for statistical purposes.
- h) The Finance directorate will manage and disburse the EPWP incentive grant received from the provincial Treasury after implementation of the identified projects. The directorate will also report on the incentive grant expenditure to the provincial Treasury and the NDPW.

6. IMPLEMENTATION

The provincial Policy Guideline for EPWP must be read and implemented in conjunction with the Guidelines as contained in the National Housing Code 2009 and the Guidelines for the Implementation of Labour-Intensive Infrastructure Projects under the EPWP.

7. KWAZULU-NATAL EPWP PROCESS



ANNEXURE A:

**NATIONAL HOUSING CODE 2009 EPWP GUIDELINES &
GUIDELINES FOR THE IMPLEMENTATION OF LABOUR-INTENSIVE
INFRASTRUCTURE PROJECTS UNDER THE EPWP**

ANNEXURE B:

NDPW REPORTING TEMPLATE

Technical Guidelines

- 1 Part A: Introduction to the National Housing Programmes
- 2 Part B: Technical Provisions
- 3 Variation Manual
- 4 Extended Public Works Programme (EPWP) Guidelines**
- 5 Housing Subsidy Systems
- 6 Multi Year Planning
- 7 Monitoring and Evaluation



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4 EXTENDED PUBLIC WORKS PROGRAMME (EPWP) GUIDELINES

4.1 OBJECTIVE OF THE EPWP

The EPWP is linked to Government's programmes that are intended to address unemployment and increase economic growth, to improve skills levels through education and training and to improve the environment for industry to flourish. It is envisaged that the EPWP will exist until these programmes have assisted in reducing unemployment.

The EPWP:

- a) aims to achieve a large impact in a short time;
- b) will focus on construction, rehabilitation and maintenance activities which offer the best opportunity for the use of unskilled labour. In particular, low-volume roads, trenching, storm water and sidewalks have been identified as areas where construction, rehabilitation and maintenance using labour-intensive methods, will increase steadily over time; and
- c) does not exclude other types of infrastructure and encourages all public bodies to expand the use of labour-intensive methods to other types of infrastructure.

The EPWP is focused on unemployed, under-skilled and under-qualified persons and aims to provide an opportunity to:

- a) draw significant numbers of the unemployed into productive work to enable them to earn an income within the first five (5) years of the EPWP;
- b) provide unemployed people with education and skills;
- c) ensure that participants in the EPWP are able to translate the experience by either enabling them to set up their own businesses or, become employed; and
- d) utilise public sector budgets to reduce and alleviate unemployment.

4.2 APPLICATION OF THE EPWP TO THE HOUSING SECTOR

The Housing Sector will be able to contribute directly to the Infrastructure Sector's initiatives for job creation through increasing the labour intensity of appropriate activities in the housing delivery process as undertaken by PDs and municipalities.

The EPWP in the Housing Sector will focus on the provision of services to the stands through labour-intensive activities, where the nature of the work involves trenching for civil engineering services and the construction of sidewalks, low volume roads and storm water drainage systems.

In the Housing Sector there will be strong emphasis on efficiency, cost-effectiveness and quality of end-products when labour-intensive construction methods in civil works, under the EPWP, are introduced. A housing project must be carried out using an appropriate mix of labour and machines

(Contractors will be allowed to use machines for construction activities where it is not technically or economically feasible to use labour.)

All housing construction work will be carried out according to the normal quality standards. Housing development is extensively linked to the National Home Builders Registration Councils Warranty Scheme. Labour-intensive construction does not imply a deviation from or, reduction of standards in terms of quality or specification.

The Housing Sector is expected to apply the "Guidelines for the Implementation of Labour-Intensive Infrastructure Projects under the Expanded Public Works Programme" (www.epwp.gov.za) in all future housing projects, unless it can be justified that elements of a housing project, due to site specific conditions, can be excluded from being labour-intensive. These Guidelines were agreed upon by SALGA, National Treasury and the Department of Public Works and provide:

- a) the necessary tools to successfully prepare tender documentation for labour-intensive projects;
- b) sections which should be copied into the relevant parts of the contract documentation for consulting engineers and contractors (The Guidelines conform to the Public Finance Management Act, 1999 (Act No 1 of 1999). The normal tender evaluation processes are followed under the Guidelines, and it is not necessary to apply any special additional preferences for employment creation);
- c) for the incorporation of the necessary contents of the Code of Good Practice for Special Public Works Programmes, which has been gazetted by the Department of Labour. It further provides for special conditions of employment for EPWP projects (for example, the workers are entitled to formal training, which will be provided by training providers appointed by the Department of Labour); and
- d) directives to develop the capacity of the construction industry to manage labour-intensive projects and include an eligibility requirement for the appointment of contractors and consulting engineers (In this respect, their key staff, involved in the EPWP project, must undergo special National Qualification Framework-accredited training programmes in labour-intensive construction.)

The application of the Guidelines will apply to all housing projects and must be made a condition applicable to all developers and implementing agents used by the

PDs for housing projects undertaken directly by the PD and will be applied to all housing projects for which the design process commences after the beginning of the 2004-2005 financial year.

By adopting and incorporating the EPWP Guidelines into its delivery process and contracts for the delivery of services to housing, the Housing Sector will be able to make significant contributions to the EPWP. Use of the EPWP Guidelines means that the requirements are contractually cascaded down to housing agents i.e. the developers, consultants and contractors. Municipalities, who are the main developers for housing, are already required to use the Guidelines when providing services funded through the Municipal Infrastructure Grant or through the Development Bank of South Africa loans. The adoption of the EPWP Guidelines by the Housing Sector will align the sector to the national strategy for delivery of services.

The use of the EPWP Guidelines will make it conditional to design and execute housing projects, particularly the installation of services (which are typically done using capital intensive methods) in a labour-intensive manner. Furthermore, if the operations are organised and managed correctly by the personnel who have been trained in labour-intensive construction, there should be no cause to extend the project execution time/period.

While the use of the EPWP Guidelines should not in the long run increase the cost per unit, in the short term it could have cost implications that could impact negatively on the overall housing delivery. As contractors become more familiar with managing labour intensive projects, this risk will decrease and it is expected that the "labour-intensive premium" will become less significant or disappear altogether. It is important that in the first years, this risk is managed effectively by the PDs.

The EPWP, in the Housing sector, will target the unemployed and marginalised by identifying the:

- i) unemployed, able and willing to work;
- ii) largely unskilled;
- iii) people not receiving social grants;
- iv) the poor;
- v) women;
- vi) people living with disabilities; and
- vii) the youth.

The contractor will be obliged to ensure that every effort is made such that, the expenditure on the employment of temporary workers is in the following proportions:

- i) 60% women;
- ii) 20% youth (who are between the ages of 18 and 35); and
- iii) 2% on persons with disabilities.

The Housing Sector should specifically target women (who bear the brunt of poverty and unemployment) by providing them with training, work experience and an income as stepping-stones to their participation in the mainstream economy.

The PDs, must, to ensure commonality, use the following definitions when projecting the extent to which it is possible to implement labour-intensive contracts:

Table 21: Definitions for Projections

Job opportunity	One (1) job opportunity = paid work created for an individual on an EPWP project for any period of time.
Person-years of employment	One (1) person year = 230 days of work/training (i.e. 365 days – 104 weekend days – 10 public holidays – 21 annual leave days) inclusive of paid sick leave. For task-rated workers, tasks completed, should be used as a proxy for 40 hours of work, based on a task completed in a week.
Training days	One (1) training day = at least seven (7) hours of formal training. Formal training is further categorized as – literacy and numeracy, life skills, vocational skills and business skills and includes the assessment of beneficiaries. For each category of training a distinction will be made between accredited and non-accredited days.
Project budget	Actual expenditure (as defined by National Treasury) on projects and supporting infrastructure, including feasibility studies and research but, excluding government administration costs. Expenditure per job created = Total project cost ÷ job opportunities created. This must be reported with and without the cost of research and feasibility studies, as they will inflate the expenditure per job created in the initial period.
Demographic characteristics of beneficiaries	The proportion of beneficiaries who fall into the following categories must be recorded: i) women; ii) youth (i.e. 18-35 years) and iii) disabled. The definitions contained in the Preferential Procurement Regulations of 2001 for these categories of beneficiaries will be utilized.

4.3 FUNDING OF THE EXPANDED PUBLIC WORKS PROGRAMME

The EPWP involves reorienting line function budgets and conditional grants so that government expenditure results in more work opportunities, particularly for unskilled labour. EPWP projects will therefore be funded through the normal budgetary process and through the budgets of line-function departments, provinces and municipalities. As a Programme aimed at unemployed persons it must not displace existing workers and contracts.

The Fund is not subject to conditionalities in terms of the EPWP. However, in accordance with policy whereby all organs of the state need to contribute to the EPWP, the Housing Sector will implement the EPWP.

The housing subsidy is an allocated amount against which the PDs are expected to deliver housing units to match the allocation. Funding for housing is primarily from "Specific Purpose Allocations to Provinces" as per Schedule 5 of the Distribution of Revenue Act (DORA).

4.4 INSTITUTIONAL ARRANGEMENTS

4.4.1 NATIONAL DEPARTMENT

Co-ordination of the Housing Sector's activities, within the EPWP, will be carried out by the National Department. This will comprise the:

- a) provision of guidance and directives relevant to the implementation agents of the EPWP; and
- b) consolidation of the required EPWP statistics from the PDs by using the Housing Subsidy System's Management Information System to monitor and report on the Housing Sector's achievements to the Department of Public Works.

In addition, the National Department will:

- c) hold quarterly Task Team meetings, in the first two years of implementation of the EPWP to ensure that the EPWP principles are clearly understood, adopted, implemented, monitored, evaluated and, quarterly reported on; and
- d) submit quarterly reports to the Director-General on the EPWP progress.

4.4.2 PROVINCIAL LEVEL

The PDs will ensure that:

- a) liaison will take place with regional committees in each of the districts of the relevant province for a mentoring, training and technical assistance strategy;
- b) national norms and standards and, effective monitoring and evaluation are applied for auditing purposes;
- c) ongoing communication with delivery agencies is maintained;
- d) provincial partnerships are managed;

- e) participation will take place in the EPWP Provincial Steering Committee structures as per their Terms of Reference;
- f) project approval is aligned to maximise the inclusion of the EPWP;
- g) where relevant, the necessary learnership programme is administered;
- h) project management will take place; maintain the necessary EPWP record keeping and engage in quarterly inspections to labour intensive housing projects; and
- i) the training and development of departmental personnel required to meet the needs of the EPWP, will be put in place.

4.5 OPERATIONALISING THE EPWP

The PDs will operationalise the EPWP, by:

- a) enforcing EPWP conditions onto all housing projects executed either internally or, by agencies;
- b) allocating the EPWP delivery responsibility to a senior official, with support structures, that extend into the Regions within the Provinces;
- c) mandating the responsible senior official to engage with all stakeholders for the purpose of communicating the EPWP and effecting its implementation with training sessions, workshops and engagement of external consultants;
- d) establishing a base line of projected contributions to the EPWP in the next five (5) years and achieving this contribution within the existing operating arrangements;
- e) identifying additional areas and programmes that could be included in the EPWP and, time frames for doing so, should, where applicable and practicable, be included in the individual PDs EPWP plans (In the case of top structures, for instance, additional labour can be achieved with regard to doing site preparation and foundations by hand);
- f) effecting contractual changes to make it mandatory to use the EPWP Guidelines when undertaking housing projects and thereby enforcing labour-intensive construction on the consultants and contractors undertaking the provision of civil engineering services to the sites under contract with developers and implementing agents;
- g) engaging with and contributing to Provincial Steering Committees established for the EPWP purposes; and

- h) engaging with and contributing to the National Department's initiatives and the monitoring and evaluation requirements to manage the EPWP contribution in the Housing Sector.

4.6 ENTERING INTO MEMORANDA OF UNDERSTANDING

In order to give effect to the EPWP, PDs are advised to enter into the following Memoranda of Understanding:

- a) **Memorandum of Understanding between a Provincial Department and the Construction Education and Training Authority (CETA):** A Memorandum of Understanding between the CETA and a PD must be concluded to cover the scope of training, funding of training and the placement of a PDs EPWP beneficiaries in line with the CETA incentives offered to levy-paying employer bodies. It also needs to target trade skills suited to support housing delivery, thereby ensuring a future labour force.
- b) **Memorandum of Understanding between a Provincial Department, the National Department of Public Works and the CETA:** A Memorandum of Understanding between a PD, the National Department of Public Works and the CETA must be entered into in relation to the implementation of the EPWP. Specific Memorandums of Understanding regarding the EPWP learnerships that were secured by the National Department of Public Works, will need to be actively pursued to ensure that the Housing Sector develops labour-intensive contractors capable of delivering in accordance with the EPWP guidelines.

4.7 TRAINING AND SKILLS DEVELOPMENT IN THE EPWP

4.7.1 A BASIC OVERVIEW ON TRAINING AND SKILLS DEVELOPMENT

Training is regarded as a critical component of the EPWP and further information is obtainable from the National Department of Public Works' website www.epwp.gov.za.

Every EPWP housing project must have a clear training programme in place that, at a minimum, strives to:

- a) Ensure programme managers are aware of their training responsibilities;
- b) Ensure a minimum of two (2) days training for every 22 days worked;
- c) Ensure a minimum of the equivalent of 2% of the project budget is allocated to funding a skills training programme. This funding may be sourced from the project budget, the National Skills Fund or donors.

It is recognised that training needs will be higher at the start of a project and tail off as projects become more established;

- d) Ensure sustainable training through certification;
- e) Balance functional and entrepreneurship training;
- f) Balance formal training with structured work place learning;
- g) Equip workers with skills that can be used to secure other employment opportunities; and
- h) Identify possible career paths available to workers exiting the EPWP.

4.7.2 BENEFICIARY DEVELOPMENT

The beneficiaries who will be employed in the EPWP are expected to receive training as per the requirement of the Code of Good Practice for Special Public Works Projects.

The training development framework must be focused, i.e. that beneficiaries will have to focus on the skills that will be critical for the various EPWP housing projects, namely, technical and basic life skills that will lead to certified qualifications.

The training of the EPWP beneficiaries must be linked to potential exit strategies in order to maximize the chances of success of the beneficiaries at the end of their employment in the EPWP. There are a number of possible exit strategies for EPWP beneficiaries, namely, pursuing further skills programmes or learnerships, forming own construction or maintenance companies or also a possibility of being retained by the various employer bodies under normal employment conditions.

With the above principles in mind, arrangements must be put in place between the PD, the CETA, the Employment Skills Development Agency of the Department of Labour, the National Department of Public Works and a number of Employer Bodies regarding the manner in which training and placement of EPWP beneficiaries will be handled.

The placement of EPWP beneficiaries to various employer bodies have to be handled by the Employment Skills Development Lead Employers (ESDLERs). This is a special purpose vehicle that was planned by the Department of Labour to be responsible for the placement of beneficiaries to various construction enterprises in order to gain further experience through on-the-job training in the chosen fields of

qualification, say bricklaying, plastering, painting, and tiling, amongst other things.

In the case where the ESDLERs is not able to assist with the placement, the PD should establish an *ad hoc* committee that will also include the Employer Bodies and Training Providers to specifically look at the placement of EPWP beneficiaries with both public and private sector employers.

The CETA has made a commitment regarding incentives that will be offered to employer bodies, which are able to place EPWP beneficiaries for a minimum period of six (6) months. The incentives will also be offered to employer bodies that are currently contributing to the CETA training levy as required by the Skills Development Act. The purpose of the placement of beneficiaries will be to ensure that they receive practical on-the-job training, while they undergo skills training or learnerships, depending on the scope of work available and the duration of projects they are involved in. The placement will also be subject to a learnership agreement between the Employer, the CETA and the beneficiary (as a learner).

4.7.3 PROVINCIAL DEPARTMENT

PDs are directly involved in the technical aspects of the EPWP delivery and need to have technical staff, within the PDs, fully aware of labour-intensive technologies. PDs should therefore ensure that:

- a) 75% of all Professionally Registered Engineers, employed in the PDs, undertake the NQF 7 qualification in Labour-intensive Training before the end of the 2005/2006 financial year;
- b) 50% of all Technical Staff with, a Higher Diploma, S3 or S4, civil engineering qualification to undertake the NQF 5 Labour-intensive Training before the end of the 2005/2006 financial year;
- c) a further 25% of the Civil Technical Staff undertake this training before August 2005;
- d) 25% of all registered Quantity Surveyors and Technician Quantity Surveyors undertake the NQF 5 or 7 Labour-intensive Training before the end of the 2005/2006 financial year; and
- e) that not less than two members of the Project Approval committee in any PD attend the NQF 7 Labour-intensive Training before the end of the 2004/2005 financial year.

The Human Resource Unit and where applicable, the Capacity Building Unit, in PDs, should be requested to manage, implement and monitor that this training is achieved. The Department of Public Works will through, the CETA and the Public Services SETA facilitate the funding to this effect.

PDs are therefore required to:

- a) convene workshops with all their technical staff and the EPWP Unit in the Department of Public Works to create an EPWP awareness; and
- b) do a technical documentation appraisal to comply with the EPWP Guidelines.

A Basic Overview on Labour-intensive Learnerships

The Department of Public Works has an existing emerging contractor learnership programme that is open to all PDs who would like to develop contractors to execute housing projects labour intensively. In this programme, the PDs will have to allocate training projects to these learner contractors so that they can complete the practical training component of their learnership.

The initiative is to enable emerging contractors to be provided with the necessary skills to become sustainable labour-intensive contractors.

A learnership is a route for learning and gaining a qualification and it provides both structured experience in the workplace and institutional learning with a training provider (www.epwp.gov.za).

The learnership, with a duration of approximately two (2) years, will typically consist of about 35% in-class training and 65% practical on-site training. The negotiated prices for the on-site training projects will be based on prices suggested by the relevant PD which must then be approved by the National Department of Public Works' EPWP unit.

The National Department of Public Works and the CETA will enter into partnerships with a PD for the implementation of these learnerships to develop entrepreneur, business and technical skills. A PD will then sign a Memorandum of Agreement with the National Department of Public Works and the CETA and will have made funding available to provide workplace experience.

The CETA will then provide the trainer, the National Department of Public Works, the mentor and a PD with the work place opportunities for the Learner Contracting Company (the juristic entity formed by individuals who have entered into Learnership Agreements as a team, comprising one (1) contractor at NQF level 2 and two (2) site supervisors at NQF level 4, which individuals are to receive training and independent project experience) to get experience.

In addition to this, support structures have been put in place by the National Department of Public Works, and include:

- a) access to financial services for the Learner Contracting Company to be provided by ABSA; and
- b) community facilitation, to recruit workers, to be provided through the Independent Development Trust (IDT).

A Memorandum of Agreement for the learnerships must be concluded and will include, as a condition, the following:

- a) The requirement that a PD must make a payment to a contractor within two (2) weeks of receiving certification for payment (The number of learner contractors should be determined on the overall budget and the amount of work that a PD would be able to allocate to the contractors during the learnerships but, should also be in line with the amount of work expected to be tendered in the future. After completion of the learnerships, contractors will be expected to tender for contracts independent and the number of contractors exiting should be aligned with the overall amount of work they can tender for);
- b) an open and transparent advertisement and selection process is followed for the recruitment and selection of learners;
- c) Learner contractors will receive classroom and on-site training and exit from the programme;
- d) qualifications, experience and a training credit record;
- e) graduate contractors will qualify for tendering for on-going labour-intensive housing;
- f) projects issued by the housing sector; and
- g) contracts, with consulting engineers for a housing project, include the following clause, as determined in the EPWP:

“the consulting engineer shall process and submit the contractors approved payment certificates to the PD within three (3) days of submittal by the contractor”.

4.7.4 MONITORING AND EVALUATION OF THE EPWP

Monitoring and evaluation of the EPWP has been identified as an important element in the implementation thereof and, will provide information for PD-management to review progress, to identify problems, to make adjustments where needed and to highlight problem areas to be addressed

Information and reporting is also of central importance in terms of monitoring the National Housing Programmes and ensuring that funds are effectively and efficiently spend. Accordingly, the Housing Act, 1997 (Act No. 107 of 1997) requires that information is gathered and reporting occurs. The following five different information systems are operating at national level:

- a) Housing and Urbanisation Information System;
- b) National Housing Subsidy Data Base;
- c) Housing Subsidy System;
- d) Integrated Development Information System; and
- e) Geographic Information System.

The Housing Subsidy System produces a variety of reports and has been tailored to provide additional reports for the EPWP, within the constraints of data capturing.

A PD must:

- i) make it a condition of contract to submit a “labour report” in all conventional civil engineering services contracts. Typically water, sanitation, roads and storm water are undertaken with the standard procurement model of employer consultant and contractor, where this report can be implemented; and
- ii) on a quarterly basis (April-June; July-September; October-December and January-March) report to the National Department, by utilising the EPWP Module on the HSS, on
 - the pre-determined EPWP monitoring indicators;
 - updated five (5) year forecasts;

- iii) link the submission of the EPWP labour report and make it conditional as part of the monthly payment certificate submitted by the contractor; and
- iv) only transfer payment to a developer on condition of the receipt of the required data.

MONITORING INDICATORS

The following, pre-determined, EPWP monitoring indicators will be included in the reporting service of the EPWP Module of the HSS:

Person-years of employment created:

NB: 1 Person year = 230 days of work/training
 (i.e. 365 days – 104 weekend days – 10 public holidays – 21 annual leave days) inclusive of paid sick leave.
 For task-rated workers, tasks completed should be used as a proxy for 40 hours of work, based on a task completed in a week.

Job opportunities

NB: 1 job opportunity = paid work created for an individual on an EPWP project for any period of time.

Training days

NB: 1 training day = at least 7 hours of formal training.
 Formal training is further categorised as: literacy & numeracy, life skills, vocational skills and business skills and includes the assessment of beneficiaries.
 For each category of training a distinction will be made between accredited and non-accredited training days.

Project budget

NB: Project Budget = actual expenditure (as defined by National Treasury) on projects and supporting infrastructure, including feasibility studies and research but excluding government administration costs.
 Expenditure per job created = total project cost divided by job opportunities created.
 This must be reported with and without the cost of research and feasibility studies as they will inflate the expenditure per job created in the initial period.

Demographic characteristics of beneficiaries

The proportion of beneficiaries who fall into the following categories must be recorded

- Youth (i.e. 18 – 35 years of age)
- Women
- Disabled

The definitions contained in the Preferential Procurement Regulations of 2001 for these categories of beneficiaries will be utilised

4.7.5 FLOW OF MONITORING INFORMATION

The internal and external project managers, appointed by the PDs on different housing projects will have to collect the required data at a project level. The data must then be submitted to PDs on a monthly basis as part of their reporting for consolidation into a housing sector report. The HSS module (EPWP) has specifically been developed to facilitate this consolidation.

The various provincial lead sector departments will in turn be expected to consolidate their reports into a sector report and forward the same to the coordinating department.

4.7.6 EVALUATION OF THE EPWP

PDs must subject the EPWP to both internal and external evaluations. This could be in the form of qualitative in-depth evaluations or diagnostic assessments carried out from time-to-time, with the aim of providing policy review guidance, on a necessity basis, but at least annually, to the National Department.

As a minimum, the following, two (2) techniques must be used in the evaluation process and the impact of the EPWP on the Housing Sector:

Table 22 : Evaluation/Impact Techniques

Technique	Implementation	Areas Measured	Timeframes
Cross-sectional surveys	Surveys of contractors/ implementing agents, beneficiaries, communities & PD	Profile of beneficiaries & their households; impact of income transfers; impact of assets created; relevance & quality of training; role of contractor (targeting, training, etc); community perceptions of the benefit of the project; efficiency of design & implementation	Years 1-5, surveys to be conducted at the end of the project cycle
Assessment of quality of assets and services	Evaluation of the quality of infrastructure and services against accepted housing norms & standards & National Home Builders Registration Council prescripts	All forms of infrastructure and services	To be undertaken annually

4.7.7 COMMUNICATION OF THE EPWP

A PD must ensure that:

- a) a staff induction strategy be developed to ensure that all levels are adequately equipped to run with the EPWP. PDs will be responsible for managing the EPWP and therefore need to be aware of the policy framework and guidelines as well as their responsibilities;
- b) service delivery agents who will, in most cases, be the employer and be:
 - i) responsible for recruitment and existing beneficiaries, be informed about the EPWP, their responsibilities, the norms and standards governing the potential work opportunities and the conditions of funds provided by the Department of Public Works; and
 - ii) that a generic EPWP induction strategy be implemented that, will communicate with potential beneficiaries to ensure that they are aware of the work opportunities offered by the EPWP and, that they all have equal access to these job opportunities. Potential beneficiaries need to know what is being offered, how to apply, the assessment criteria, the responsibilities (norms

and standards) of each party, the duration of the opportunity and the possible exit opportunities.

4.7.8 REPORTING COMPLIANCE

A PD must comply with the following minimum reporting structure:-

- a) by utilising the EPWP Module on the HSS, quarterly reports to be dispatched to the National Department, not later than the seventh working day of the following month, for the quarters, beginning -
 - i) March
 - ii) June
 - iii) September
 - iv) December;
- b) quarterly, consolidated performance reports compared to the EPWP baseline five (5) year forecasts; and
- c) quarterly audit trail reports reflecting transfer payments to contractors.



**EXPANDED PUBLIC WORKS PROGRAMME
CONTRIBUTING TO A NATION AT WORK**

**Guidelines for the Implementation
of Labour-Intensive Infrastructure
Projects under the Expanded
Public Works Programme (EPWP)**

SECOND EDITION • JULY 2005



National
Treasury



South African Local Government Association

DFID

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public works

Department:
Public Works
REPUBLIC OF SOUTH AFRICA

Guidelines for the Implementation of Labour Intensive Projects under the Expanded Public Works Programme (EPWP)

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Foreword

The Expanded Public Works Programme (EPWP) is one of government's short-to-medium term programmes aimed at alleviating and reducing unemployment. The EPWP will achieve this aim through the provision of work opportunities coupled with training. It is a national programme covering all spheres of government and state-owned enterprises (SOE's). President Mbeki formally announced the programme in his State of the Nation Address in February 2003.

Government's medium-to-long term programmes to address unemployment include increasing economic growth, improving skills levels through education and training, and improving the enabling environment for industry to flourish. The EPWP will continue to exist until these medium-to-long term programmes are successful in reducing unemployment.

The programme involves reorientating line function budgets so that government expenditure results in more work opportunities, particularly for unskilled labour. EPWP projects will therefore be funded through the normal budgetary process, through the budgets of line-function departments, provinces and municipalities.

Opportunities for implementing the EPWP have been identified in the infrastructure, environmental, social and economic sectors. In the infrastructure sector the emphasis is on creating additional work opportunities through the introduction of labour-intensive construction methods. Labour-intensive construction methods involve the use of an appropriate mix of labour and machines, with a preference for labour where technically and economically feasible, without compromising the quality of the product.

All public bodies involved in infrastructure provision are expected to attempt to contribute to the programme. As part of this initiative, the national government has through the 2004 Division of Revenue Act placed some additional conditionalities on the Provincial Infrastructure Grant (PIG) and the Municipal Infrastructure Grant (MIG). These additional conditionalities will require provinces and municipalities to use the "Guidelines for the implementation of labour intensive infrastructure projects under the EPWP" agreed upon between SALGA, National Treasury and the Department of Public Works for identification, design and construction or projects financed through the MIG or PIG. This document contains those guidelines.

International and local experience has shown that, with well-trained supervisory staff and an appropriate employment framework, labour-intensive methods can be used successfully for infrastructure projects involving low-volume roads and sidewalks, stormwater drains, and trenches. On the basis of this experience, and in the context of high levels of unemployment, the national government has decided to require that these infrastructure projects must be carried out labour-intensively.

These guidelines aim to provide provinces and municipalities with the necessary tools to successfully tender these projects as labour-intensive projects. These guidelines have been designed with the aim of minimising the additional work required from provincial and municipal officials. The National Department of Public Works is working with the Construction Education and Training Authority (CETA) to develop the capacity of the construction industry to design and manage labour-intensive infrastructure projects successfully.

The guidelines contain sections which should be copied into the relevant parts of the contract documentation for consulting engineers and contractors. These sections introduce a requirement that certain construction activities must be carried out by hand, under certain conditions. These requirements were formulated on the basis of a thorough review of international and local experience of labour-intensive construction, in order to identify the activities for which it is economically and technically feasible to use labour-intensive methods. The guidelines therefore conform to the Public Finance Management Act requirement for assessing the cost-effectiveness of capital projects. The normal tender evaluation processes are followed under these guidelines, and it is not necessary to apply any special additional preferences for employment creation.

The guidelines include the contents of the Code of Good Practice for Special Public Works Programmes, which has been gazetted by the Department of Labour, and which provides for special conditions of employment for these EPWP projects. In terms of the Code of Good Practice, the workers on these projects are entitled to formal training, which will be provided by training providers appointed (and funded) by the Department of Labour. For projects of up to six months in duration, this training will cover life-skills and information about other education, training, and employment opportunities.

In order to develop the capacity of the construction industry to manage labour-intensive projects, these guidelines also include an eligibility requirement for the appointment of contractors and consulting engineers, i.e. that their key staff involved in the project must undergo special NQF-accredited training programmes in labour-intensive construction.

As an additional means of addressing the capacity in the labour-intensive construction sector, DPW together with the CETA has established a labour intensive contractor learnership programme. The aim of this learnership programme is to produce small contractors qualified to execute work in accordance with these guidelines. The CETA is paying for the classroom training of these contractors.

As part of this learnership programme, learner contractors need to execute projects to gain practical experience. Partnering provinces and municipalities may allocate projects identified and designed using these guidelines to the learner contractors on a negotiated price basis.

An electronic version of these guidelines and electronic copies of the following documents can be obtained on the enclosed CD ROM or downloaded from www.epwp.gov.za:

- Code of Good Practice for Employment and Conditions of Work for Special Public Works Programmes
- Ministerial Determination, Special Public Works Programmes, issued in terms of the Basic Conditions of Employment Act of 1997 by the Minister of Labour in Government Notice N° R63 of 25 January 2002
- Government Gazette (DORA 2004 with MIG and PIG Conditions)
- Documents relating to the Labour Intensive Contractor Learnership Programme



Amendments to the first edition incorporated in this second edition

Minor amendments to the text of the first edition have been made to:

- i) change the deadlines for persons in the employ of the contractor to be accredited in respect of the relevant CETA standards;
- ii) align the text with the requirements of the Construction Industry Development Regulations; and
- iii) delete text that has now become redundant.

Terminology

By hand: refers to the use of tools which are manually operated and powered

Form of contract: refers to a document (conditions of contract) published by industry which establishes the rights, liabilities and obligations of the contracting parties and the procedures for the administration of the contract.

Labour-intensive: refers to methods of construction involving a mix of machines and labour, where labour, utilising hand tools and light plant and equipment, is preferred to the use of heavy machines, where technically and economically feasible.

(Note: The normal emphasis on the cost-effectiveness and quality of the asset must be retained.)

Public body: refers to a department, trading entity, constitutional institution, municipality, public entity or municipal entity

Scope of work: refers to a specification and description of the services or construction works which are to be provided and any other requirements and constraints relating to the manner in which the contract is to be performed

Abbreviations

CETA: Construction Education and Training Authority

CIDB: Construction Industry Development Board

ECSA: Engineering Council of South Africa

EPWP: Expanded Public Works Programme

FIDIC: French acronym for the International Federation of Consulting Engineers

NEC: New Engineering Contract

NQF: National Qualifications Framework

SANS: South African National Standard

SPWP: Special Public Works Programme

1 Introduction

Labour-intensive infrastructure projects under the EPWP include:

- using labour intensive construction methods to provide employment opportunities to local unemployed people;
- providing training or skills development to those locally employed workers;
- building cost-effective and quality assets.

This document is a guiding framework for the implementation of labour-intensive projects under the Expanded Public Works Programme. It provides the means by which labour intensive works can be implemented under the most commonly encountered delivery model, namely design by employer (i.e. the model in which the contractor undertakes construction on the basis of full designs issued by the employer.) It also assumes that the public body will appoint a consultant to design the works and to administer the contract. Adjustments to the text of this document will be necessary to accommodate other delivery models. Where no consultants are appointed, the staff of the public body needs to perform the activities assigned to consultants in this document.

The document in addition provides guidance on the:

- identification of suitable projects;
- appropriate design for labour-intensive construction;
- the specification of labour-intensive works; and
- the compilation of contract documentation for labour-intensive projects.

Specific direction is given regarding contract clauses which must be included to amend or augment standard documentation, in order to implement labour-intensive projects.

These guidelines must be applied to all relevant projects for which the design process commences after the beginning of the 2004-2005 financial year.

Appendix A provides sources of additional information.

The employment of locally employed temporary workers on all EPWP labour-intensive infrastructure projects must be in accordance with the Code of Good Practice for Employment and Conditions of Work for Special Public Works Programmes issued in terms of the Basic Conditions of Employment Act, 1997 (Act N° 75 of 1997) and promulgated in Government Gazettes Notice N° P64 of 25 January 2002. The requirements of this Code have been included in this Guidelines document. However, reference should be made to the full text of the Code of Good Practice and the related Ministerial Determination.

2 Responsibilities of the public body

2.1 Selection of projects

The public body must implement the following types of civil infrastructure projects labour-intensively, in accordance with these guidelines:

- low-volume roads (typically less than 500 vehicles per day);
- sidewalks and non-motorised transport infrastructure
- stormwater drainage; and
- trenching

where such projects contain a significant amount of the construction activities for which the use of labour is specified in the Generic Labour Intensive Specification in section 3.3.3 below, i.e. excavation, loading, short-distance hauling, offloading, spreading, grassing, and stone-pitching.

There is also potential for additional employment creation in other types of infrastructure and building (see Annexure B). Public bodies are also encouraged to create additional work opportunities in these projects. These guidelines may be used for other labour-intensive projects other than those types of civil infrastructure projects specified above, as long as such projects involve a significant substitution of labour for machines.

The public body must be satisfied that sufficient local labour (willing to work) is available for the project, before proceeding with the project as a labour-intensive project.

The public body is encouraged to send its relevant managers on the applicable skills programmes in labour-intensive construction (See Appendix C).

2.2 Setting of rate of pay

In accordance with the Code of Good Practice for Employment and Conditions of Work for Special Public Works Programmes (clause 10.4), the public body must set a rate of pay (task-rate) for workers to be employed on the labour-intensive projects.

Clause 10.4 requires that the following should be considered when setting rates of pay for workers:

10.4.1 The rate set should take into account wages paid for comparable unskilled work in the local area per sector, if necessary.

10.4.2 The rate should be an appropriate wage to offer an incentive for work, to reward effort provided and to ensure a reasonable quality of work. It should not be more than the average local rate to ensure people are not recruited away from other employment and jobs with longer-term prospects.

10.4.3 Men, women, disabled persons and the aged must receive the same pay for work of equal value.

2.3 Appointment of consulting engineers and contractors

The public body must ensure that:

- i) the design of the labour intensive works by consultants is overseen by persons in their employ who have completed the necessary skills training (see Appendix C);
- ii) works contracts are administered by persons in the employ of consultants who have completed the necessary skills training (see Appendix C); and
- iii) works contracts are awarded to contractors who have in their employ managers who have completed the necessary skills training (see Appendix C).

As a concession up to 30 June 2006, persons in the employ of contractors identified in Appendix C who have not completed the requisite skills training need only to be registered on the relevant skills programmes.

3 Contract documentation for consulting engineers and contractors for labour-intensive construction projects

3.1 General

All the standard forms of contract listed in the CIDB Standard for Uniformity in Construction Procurement may be used for labour-intensive projects. It is not necessary to create special new forms of contract or to amend the approved forms of contract to implement labour based works.

Requirements for labour-intensive works need, however, to be established in the scope of work associated with a contract for both consultants and contractors.

The approved standard forms of contract for professional services use different terms to describe the parties to the contract. These guidelines use the terms employer and consultant for the parties engaged in professional service contracts and scope of work for requirements in both professional service and construction contracts.

3.2 Contract Documentation for Consulting Engineering Services

The scope of work must establish the manner in which the consultant is to provide the consulting engineering services associated with labour intensive works.

All services relating to the implementation of the works which are to be provided in terms of these Guidelines are normal services in terms of the Guideline Scope of Service and Tariff of Fees for Persons Registered in terms of the Engineering Professions Act published by the Engineering Council of South Africa in terms of a Board Notice. Any changes in the design of the works to incorporate labour intensive works should not constitute a change in scope or an additional service where the scope of work is framed around such ECSA publications.

The following must be included in the scope of work in the contract of employment with a Consulting Engineer:

Labour-intensive works

1. The Consultant shall not perform any significant portion of a project involving labour-intensive works under the direction of a staff member who has not completed the NQF level 7 unit standard "Develop and Promote Labour Intensive Construction Strategies" (Details of this skills programmes may be obtained from the CETA ETQA manager (e-mail:gerard@ceta.co.za, tel: 011-265 5900).

2. The staff member of the consultant who is responsible for the administration of any works contract involving labour intensive works must have completed the NQF level 5 unit standard "Manage Labour Intensive Construction Projects" (Details of this skills programmes may be obtained from the CETA ETQA manager (e-mail: gerard@ceta.co.za, tel: 011-265 5900).
3. The Consultant must provide the Employer with satisfactory evidence that staff members satisfy the requirements of 1 and 2.
4. The Consultant must design and implement the construction works in accordance with the Guidelines for the Implementation of the Labour Intensive Projects under the Expanded Public Works Programme (the Guidelines) published by the National Department of Public Works.
5. The Consultant shall, for monitoring purposes, keep monthly records of and transmit to the Client data obtained from the contractor on the following indicators with regard to workers employed:
 - Project budget
 - Actual Project Expenditure
 - Number of job opportunities created
 - Demographics of workers employed (disaggregated by women, youth and persons with disabilities)
 - Minimum day-task wage rate earned on project
 - Number of person-days of employment created
 - Number of persons who have attended a standard EPWP 10 day accredited training course

The definitions for these indicators are contained in Annexure D of the latest edition of the Guidelines for the Implementation of Labour-Intensive Infrastructure Projects under the Expanded Public Works Programme (EPWP). The values for the indicators shall be submitted to the Employer on the prescribed reporting template (from the EPWP Unit in the DPW) and obtainable from www.epwp.gov.za

6. The Consultant shall certify that the works have been completed in accordance with the requirements of the Guidelines and the Contract:
 - a) whenever a payment certificate is presented to the Employer for payment; and
 - b) immediately after the issuing of a practical completion certificate that signifies that the whole of the works have reached a state of readiness for occupation or use for the purposes intended although some minor work may be outstanding.

3.3 Contract Documentation for the Works

3.3.1 Notice and Invitation to tender / Conditions of tender

Public bodies must only award contracts to contractors who have suitably qualified senior and middle supervisory staff to supervise the labour-intensive works. Tenderers must be made aware of this requirement in tender documents. Those responsible for evaluating tenders must confirm that the contractor has such staff available for the contract during the tender evaluation process.

The following must be included in the notice and invitation to tender:

Only tenderers who employ staff which satisfy EPWP requirements are eligible to submit tenders.

The following must be included in the tender data in accordance with the provisions of the CIDB Standard for Uniformity in Construction Procurement:

F.2.1	Only those tenderers who have in their employ management and supervisory staff satisfying the requirements of the scope of work for labour intensive competencies for supervisory and management staff are eligible to submit tenders.
F.2.18	The tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.

3.3.2 Contract Data

As mentioned in 3.1, any approved standard form of contract for construction works may be used for labour-intensive projects. These forms of contract must not, however, be amended or varied to alter the obligations, liabilities or rights of the employer, representative of the employer (engineer / principal agent / agent / project manager) or contractor where a project manager, materials manager, trainer, mentor or any other person is appointed to support the Contractor.

The following must be included in the contract data in the contract with the Employer:

Payment for the labour-intensive component of the works

Payment for works identified in the Scope of Work as being labour-intensive shall only be made in accordance with the provisions of the Contract if the works are constructed strictly in accordance with the provisions of the Scope of Work. Any non-payment for such works shall not relieve the Contractor in any way from his obligations either in contract or in delict.

Applicable labour laws

The Ministerial Determination, Special Public Works Programmes, issued in terms of the Basic Conditions of Employment Act of 1997 by the Minister of Labour in Government Notice N° R63 of 25 January 2002, as reproduced below, shall apply to works described in the scope of work as being labour intensive and which are undertaken by unskilled or semi-skilled workers.

1 Introduction

- 1.1 This document contains the standard terms and conditions for workers employed in elementary occupations on a Special Public Works Programme (SPWP). These terms and conditions do NOT apply to persons employed in the supervision and management of a SPWP.
- 1.2 In this document –
- (a) "department" means any department of the State, implementing agent or contractor;
 - (b) "employer" means any department, implementing agency or contractor that hires workers to work in elementary occupations on a SPWP;
 - (c) "worker" means any person working in an elementary occupation on a SPWP;
 - (d) "elementary occupation" means any occupation involving unskilled or semi-skilled work;
 - (e) "management" means any person employed by a department or implementing agency to administer or execute an SPWP;
 - (f) "task" means a fixed quantity of work;
 - (g) "task-based work" means work in which a worker is paid a fixed rate for performing a task;
 - (h) "task-rated worker" means a worker paid on the basis of the number of tasks completed;
 - (i) "time-rated worker" means a worker paid on the basis of the length of time worked.

2 Terms of Work

- 2.1 Workers on a SPWP are employed on a temporary basis.
- 2.2 A worker may NOT be employed for longer than 24 months in any five-year cycle on a SPWP.
- 2.3 Employment on a SPWP does not qualify as employment as a contributor for the purposes of the Unemployment Insurance Act 30 of 1966.

3 Normal Hours of Work

- 3.1 An employer may not set tasks or hours of work that require a worker to work–
- (a) more than forty hours in any week
 - (b) on more than five days in any week; and
 - (c) for more than eight hours on any day.
- 3.2 An employer and worker may agree that a worker will work four days per week. The worker may then work up to ten hours per day.
- 3.3 A task-rated worker may not work more than a total of 55 hours in any week to complete the tasks allocated (based on a 40-hour week) to that worker.

4 Meal Breaks

- 4.1 A worker may not work for more than five hours without taking a meal break of at least thirty minutes duration.
- 4.2 An employer and worker may agree on longer meal breaks.
- 4.3 A worker may not work during a meal break. However, an employer may require a worker to perform duties during a meal break if those duties cannot be left unattended and cannot be performed by another worker. An employer must take reasonable steps to ensure that a worker is relieved of his or her duties during the meal break.
- 4.4 A worker is not entitled to payment for the period of a meal break. However, a worker who is paid on the basis of time worked must be paid if the worker is required to work or to be available for work during the meal break.

5 Special Conditions for Security Guards

- 5.1 A security guard may work up to 55 hours per week and up to eleven hours per day.
- 5.2 A security guard who works more than ten hours per day must have a meal break of at least one hour or two breaks of at least 30 minutes each.

6 Daily Rest Period

Every worker is entitled to a daily rest period of at least eight consecutive hours. The daily rest period is measured from the time the worker ends work on one day until the time the worker starts work on the next day.

7 Weekly Rest Period

Every worker must have two days off every week. A worker may only work on their day off to perform work which must be done without delay and cannot be performed by workers during their ordinary hours of work ("emergency work").

8 Work on Sundays and Public Holidays

- 8.1 A worker may only work on a Sunday or public holiday to perform emergency or security work.
- 8.2 Work on Sundays is paid at the ordinary rate of pay.
- 8.3 A task-rated worker who works on a public holiday must be paid –
 - (a) the worker's daily task rate, if the worker works for less than four hours;
 - (b) double the worker's daily task rate, if the worker works for more than four hours.
- 8.4 A time-rated worker who works on a public holiday must be paid –
 - (a) the worker's daily rate of pay, if the worker works for less than four hours on the public holiday;
 - (b) double the worker's daily rate of pay, if the worker works for more than four hours on the public holiday.

9 Sick Leave

- 9.1 Only workers who work four or more days per week have the right to claim sick-pay in terms of this clause.
- 9.2 A worker who is unable to work on account of illness or injury is entitled to claim one day's paid sick leave for every full month that the worker has worked in terms of a contract.
- 9.3 A worker may accumulate a maximum of twelve days' sick leave in a year.
- 9.4 Accumulated sick-leave may not be transferred from one contract to another contract.
- 9.5 An employer must pay a task-rated worker the worker's daily task rate for a day's sick leave.
- 9.6 An employer must pay a time-rated worker the worker's daily rate of pay for a day's sick leave.
- 9.7 An employer must pay a worker sick pay on the worker's usual payday.
- 9.8 Before paying sick-pay, an employer may require a worker to produce a certificate stating that the worker was unable to work on account of sickness or injury if the worker is –
 - (a) absent from work for more than two consecutive days; or
 - (b) absent from work on more than two occasions in any eight-week period.

- 9.9 A medical certificate must be issued and signed by a medical practitioner, a qualified nurse or a clinic staff member authorised to issue medical certificates indicating the duration and reason for incapacity.
- 9.10 A worker is not entitled to paid sick-leave for a work-related injury or occupational disease for which the worker can claim compensation under the Compensation for Occupational Injuries and Diseases Act.

10 Maternity Leave

- 10.1 A worker may take up to four consecutive months' unpaid maternity leave.
- 10.2 A worker is not entitled to any payment or employment-related benefits during maternity leave.
- 10.3 A worker must give her employer reasonable notice of when she will start maternity leave and when she will return to work.
- 10.4 A worker is not required to take the full period of maternity leave. However, a worker may not work for four weeks before the expected date of birth of her child or for six weeks after the birth of her child, unless a medical practitioner, midwife or qualified nurse certifies that she is fit to do so.
- 10.5 A worker may begin maternity leave –
- (a) four weeks before the expected date of birth; or
 - (b) on an earlier date –
 - (i) if a medical practitioner, midwife or certified nurse certifies that it is necessary for the health of the worker or that of her unborn child; or
 - (ii) if agreed to between employer and worker; or
 - (c) on a later date, if a medical practitioner, midwife or certified nurse has certified that the worker is able to continue to work without endangering her health.
- 10.6 A worker who has a miscarriage during the third trimester of pregnancy or bears a still-born child may take maternity leave for up to six weeks after the miscarriage or stillbirth.
- 10.7 A worker who returns to work after maternity leave, has the right to start a new cycle of twenty-four months employment, unless the SPWP on which she was employed has ended.

11 Family responsibility leave

- 11.1 Workers, who work for at least four days per week, are entitled to three days paid family responsibility leave each year in the following circumstances –
- (a) when the employee's child is born;
 - (b) when the employee's child is sick;
 - (c) in the event of a death of –
 - (i) the employee's spouse or life partner;
 - (ii) the employee's parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling.

12 Statement of Conditions

- 12.1 An employer must give a worker a statement containing the following details at the start of employment –
- (a) the employer's name and address and the name of the SPWP;
 - (b) the tasks or job that the worker is to perform; and

- (c) the period for which the worker is hired or, if this is not certain, the expected duration of the contract;
 - (d) the worker's rate of pay and how this is to be calculated;
 - (e) the training that the worker will receive during the SPWP.
- 12.2 An employer must ensure that these terms are explained in a suitable language to any employee who is unable to read the statement.
- 12.3 An employer must supply each worker with a copy of these conditions of employment.

13 Keeping Records

- 13.1 Every employer must keep a written record of at least the following –
- (a) the worker's name and position;
 - (b) in the case of a task-rated worker, the number of tasks completed by the worker;
 - (c) in the case of a time-rated worker, the time worked by the worker;
 - (d) payments made to each worker.
- 13.2 The employer must keep this record for a period of at least three years after the completion of the SPWP.

14 Payment

- 14.1 An employer must pay all wages at least monthly in cash or by cheque or into a bank account.
- 14.2 A task-rated worker will only be paid for tasks that have been completed.
- 14.3 An employer must pay a task-rated worker within five weeks of the work being completed and the work having been approved by the manager or the contractor having submitted an invoice to the employer.
- 14.4 A time-rated worker will be paid at the end of each month.
- 14.5 Payment must be made in cash, by cheque or by direct deposit into a bank account designated by the worker.
- 14.6 Payment in cash or by cheque must take place –
- (a) at the workplace or at a place agreed to by the worker;
 - (b) during the worker's working hours or within fifteen minutes of the start or finish of work;
 - (c) in a sealed envelope which becomes the property of the worker.
- 14.7 An employer must give a worker the following information in writing –
- (a) the period for which payment is made;
 - (b) the numbers of tasks completed or hours worked;
 - (c) the worker's earnings;
 - (d) any money deducted from the payment;
 - (e) the actual amount paid to the worker.
- 14.8 If the worker is paid in cash or by cheque, this information must be recorded on the envelope and the worker must acknowledge receipt of payment by signing for it
- 14.9 If a worker's employment is terminated, the employer must pay all monies owing to that worker within one month of the termination of employment.

15 Deductions

- 15.1 An employer may not deduct money from a worker's payment unless the deduction is required in terms of a law.
- 15.2 An employer must deduct and pay to the SA Revenue Services any income tax that the worker is required to pay.
- 15.3 An employer who deducts money from a worker's pay for payment to another person must pay the money to that person within the time period and other requirements specified in the agreement law, court order or arbitration award concerned.
- 15.4 An employer may not require or allow a worker to –
 - (a) repay any payment except an overpayment previously made by the employer by mistake;
 - (b) state that the worker received a greater amount of money than the employer actually paid to the worker; or
 - (c) pay the employer or any other person for having been employed.

16 Health and Safety

- 16.1 Employers must take all reasonable steps to ensure that the working environment is healthy and safe.
- 16.2 A worker must –
 - (a) work in a way that does not endanger his/her health and safety or that of any other person;
 - (b) obey any health and safety instruction;
 - (c) obey all health and safety rules of the SPWP;
 - (d) use any personal protective equipment or clothing issued by the employer;
 - (e) report any accident, near-miss incident or dangerous behaviour by another person to their employer or manager.

17 Compensation for Injuries and Diseases

- 17.1 It is the responsibility of the employers (other than a contractor) to arrange for all persons employed on a SPWP to be covered in terms of the Compensation for Occupational Injuries and Diseases Act, 130 of 1993.
- 17.2 A worker must report any work-related injury or occupational disease to their employer or manager.
- 17.3 The employer must report the accident or disease to the Compensation Commissioner.
- 17.4 An employer must pay a worker who is unable to work because of an injury caused by an accident at work 75% of their earnings for up to three months. The employer will be refunded this amount by the Compensation Commissioner. This does NOT apply to injuries caused by accidents outside the workplace such as road accidents or accidents at home.

18 Termination

- 18.1 The employer may terminate the employment of a worker for good cause after following a fair procedure.
- 18.2 A worker will not receive severance pay on termination.
- 18.3 A worker is not required to give notice to terminate employment. However, a worker

who wishes to resign should advise the employer in advance to allow the employer to find a replacement.

- 18.4 A worker who is absent for more than three consecutive days without informing the employer of an intention to return to work will have terminated the contract. However, the worker may be re-engaged if a position becomes available for the balance of the 24-month period.
- 18.5 A worker who does not attend required training events, without good reason, will have terminated the contract. However, the worker may be re-engaged if a position becomes available for the balance of the 24-month period.

19 Certificate of Service

- 19.1 On termination of employment, a worker is entitled to a certificate stating –
- the worker's full name;
 - the name and address of the employer;
 - the SPWP on which the worker worked;
 - the work performed by the worker;
 - any training received by the worker as part of the SPWP;
 - the period for which the worker worked on the SPWP;
 - any other information agreed on by the employer and worker.

3.3.3 Scope of work

Standard specifications (those normally used by the public bodies) are to be utilised. It is necessary, however, to include certain requirements in the scope of work to implement labour-intensive works in accordance with the provisions of these Guidelines.

Appendix E outlines the earthworks which are to be executed by hand in terms of the South African Nation Standard 1921-5.

The following wording, as appropriate, must be included in the scope of work in the contract with the contractor

DESCRIPTION OF THE WORKS

Employer's objectives

The employer's objectives are to deliver public infrastructure using labour intensive methods

Labour-intensive works

Labour-intensive works comprise the activities described in SANS 1921-5, *Earthworks activities which are to be performed by hand*, and its associated specification data . Such works shall be constructed using local workers who are temporarily employed in terms of this Scope of Work.

LABOUR INTENSIVE COMPETENCIES OF SUPERVISORY AND MANAGEMENT STAFF

Contractors having a CIDB contractor grading designation of 5CE and higher shall only engage supervisory and management staff in labour intensive works who have either completed, or for the period 1 April 2004 to 30 June 2006, are registered for training towards, the skills programme outlined in Table 1.

The managing principal of the contractor, namely, a sole proprietor, the senior partner, the managing director or managing member of a close corporation, as relevant, having a contractor grading designation of 1CE, 2CE, 3CE and 4CE shall have personally completed, or for the period 1 April 2004 to 30 June 2006 be registered on a skills programme for the NQF level 2. All other site supervisory staff in the employ of such contractors must have completed, or for the period 1 April 2004 to 30 June 2006 be registered on a skills programme for, the NQF level 2 unit standards or NQF level 4 unit standards.

Table 1: Skills programme for supervisory and management staff

Personnel	NQF level	Unit standard titles	Skills programme description
Team leader / supervisor	2	Apply Labour-Intensive Construction Systems and Techniques to Work Activities	This unit standard must be completed, and } any one of these 3 unit standards
		Use Labour-Intensive Construction Methods to Construct and Maintain Roads and Stormwater Drainage	
		Use Labour-Intensive Construction Methods to Construct and Maintain Water and Sanitation Services	
		Use Labour-Intensive Construction Methods to Construct, Repair and Maintain Structures	
Foreman/ supervisor	4	Implement Labour-Intensive Construction Systems and Techniques	This unit standard must be completed, and } any one of these 3 unit standards
		Use Labour-Intensive Construction Methods to Construct and Maintain Roads and Stormwater Drainage	
		Use Labour-Intensive Construction Methods to Construct and Maintain Water and Sanitation Services	
		Use Labour-Intensive Construction Methods to Construct, Repair and Maintain Structures	
Site Agent / Manager (i.e the contractor's most senior representative that is resident on the site)	5	Manage Labour-Intensive Construction Processes	Skills Programme against this single unit standard

EMPLOYMENT OF UNSKILLED AND SEMI-SKILLED WORKERS IN LABOUR-INTENSIVE WORKS

1.1 Requirements for the sourcing and engagement of labour.

1.1.1 Unskilled and semi-skilled labour required for the execution of all labour intensive works shall be engaged strictly in accordance with prevailing legislation and SANS 1914-5, Participation of Targeted Labour.

- 1.1.2 The rate of pay set for the SPWP is R per task or per day.
(Insert value determined by public body in terms of clause 2.2 of these Guidelines)
- 1.1.3 Tasks established by the contractor must be such that:
- a) the average worker completes 5 tasks per week in 40 hours or less; and
 - b) the weakest worker completes 5 tasks per week in 55 hours or less.
- 1.1.4 The contractor must revise the time taken to complete a task whenever it is established that the time taken to complete a weekly task is not within the requirements of 1.1.3.
- 1.1.5 The Contractor shall, through all available community structures, inform the local community of the labour intensive works and the employment opportunities presented thereby. Preference must be given to people with previous practical experience in construction and / or who come from households:
- a) where the head of the household has less than a primary school education;
 - b) that have less than one full time person earning an income;
 - c) where subsistence agriculture is the source of income.
 - d) those who are not in receipt of any social security pension income
- 1.1.6 The Contractor shall endeavour to ensure that the expenditure on the employment of temporary workers is in the following proportions:
- a) 60 % women;
 - b) 20% youth who are between the ages of 18 and 25; and
 - c) 2% on persons with disabilities.

1.2 Specific provisions pertaining to SANS 1914-5

1.2.1 Definitions

Targeted labour: Unemployed persons who are employed as local labour on the project.

1.2.3 Contract participation goals

1.2.3.1 There is no specified contract participation goal for the contract. The contract participation goal shall be measured in the performance of the contract to enable the employment provided to targeted labour to be quantified.

1.2.3.2 The wages and allowances used to calculate the contract participation goal shall, with respect to both time-rated and task rated workers, comprise all wages paid and any training allowance paid in respect of agreed training programmes.

1.2.4 Terms and conditions for the engagement of targeted labour

Further to the provisions of clause 3.3.2 of SANS 1914-5, written contracts shall be entered into with targeted labour.

1.2.5 Variations to SANS 1914-5

1.2.5.1 The definition for net amount shall be amended as follows:

Financial value of the contract upon completion, exclusive of any value added tax or sales tax which the law requires the employer to pay the contractor.

1.2.5.2 The schedule referred to in 5.2 shall in addition reflect the status of targeted labour as women, youth and persons with disabilities and the number of days of formal training provided to targeted labour.

1.3 Training of targeted labour

1.3.1 The contractor shall provide all the necessary on-the-job training to targeted labour to enable such labour to master the basic work techniques required to undertake the work in accordance with the requirements of the contract in a manner that does not compromise worker health and safety.

1.3.2 The cost of the formal training of targeted labour, will be funded by the provincial office of the Department of Labour. This training should take place as close to the project site as practically possible. The contractor, must access this training by informing the relevant provincial office of the Department of Labour in writing, within 14 days of being awarded the contract, of the likely number of persons that will undergo training and when such training is required. The employer must be furnished with a copy of this request.

1.3.3 A copy of this training request made by the contractor to the DOL provincial office must also be faxed to the EPWP Training Director in the Department of Public Works– Cinderella Makunike, Fax Number 012 328 6820 or email cinderella.makunike@dpw.gov.za Tel: 083 677 4026

1.3.4 The contractor shall be responsible for scheduling the training of workers and shall take all reasonable steps to ensure that each beneficiary is provided with a minimum of six (6) days of formal training if he/she is employed for 3 months or less and a minimum of ten (10) days if he she is employed for 4 months or more.

1.3.5 The contractors shall do nothing to dissuade targeted labour from participating in the above mentioned training programmes.

1.3.6 An allowance equal to 100% of the task rate or daily rate shall be paid by the contractor to workers who attend formal training, in terms of 1.3.4 above.

1.3.7 Proof of compliance with the requirements of 1.3.2 to 1.3.6 must be provided by the Contractor to the Employer prior to submission of the final payment certificate.

GENERIC LABOUR-INTENSIVE SPECIFICATION

The Generic Labour-intensive specification below is the same as SANS 1921-5, Construction and management requirement for works contracts- Part 5: Earthworks activities which are to be performed by hand and should be included in the scope of works without amendment or modification as set out below.

Scope

This specification establishes general requirements for activities which are to be executed by hand involving the following:

- a) trenches having a depth of less than 1.5 metres
- b) stormwater drainage
- c) low-volume roads and sidewalks

Precedence

Where this specification is in conflict with any other standard or specification referred to in the Scope of Works to this Contract, the requirements of this specification shall prevail.

Hand excavateable material

Hand excavateable material is material:

a) granular materials:

- i) whose consistency when profiled may in terms of table 1 be classified as very loose, loose, medium dense, or dense; or
- ii) where the material is a gravel having a maximum particle size of 10mm and contains no cobbles or isolated boulders, no more than 15 blows of a dynamic cone penetrometer is required to penetrate 100mm;

b) cohesive materials:

- i) whose consistency when profiled may in terms of table 1 be classified as very soft, soft, firm, stiff and stiff / very stiff; or
- ii) where the material is a gravel having a maximum particle size of 10mm and contains no cobbles or isolated boulders, no more than 8 blows of a dynamic cone penetrometer is required to penetrate 100mm;

Note:

- 1) A boulder, a cobble and gravel is material with a particle size greater than 200mm, between 60 and 200mm.
- 2) A dynamic cone penetrometer is an instrument used to measure the insitu shear resistance of a soil comprising a drop weight of approximately 10 kg which falls through a height of 400mm and drives a cone having a maximum diameter of 20mm (cone angle of 60° with respect to the horizontal) into the material being used.

Table 1: Consistency of materials when profiled

GRANULAR MATERIALS		COHESIVE MATERIALS	
CONSISTENCY	DESCRIPTION	CONSISTENCY	DESCRIPTION
Very loose	Crumbles very easily when scraped with a geological pick.	Very soft	Geological pick head can easily be pushed in as far as the shaft of the handle.
Loose	Small resistance to penetration by sharp end of a geological pick.	Soft	Easily dented by thumb; sharp end of a geological pick can be pushed in 30-40 mm; can be moulded by fingers with some pressure.
Medium dense	Considerable resistance to penetration by sharp end of a geological pick.	Firm	Indented by thumb with effort; sharp end of geological pick can be pushed in upto 10 mm; very difficult to mould with fingers; can just be penetrated with an ordinary hand spade.
Dense	Very high resistance to penetration by the sharp end of geological pick; requires many blows for excavation.	Stiff	Can be indented by thumb-nail; slight indentation produced by pushing geological pick point into soil; cannot be moulded by fingers.
Very dense	High resistance to repeated blows of a geological pick.	Very stiff	Indented by thumb-nail with difficulty; slight indentation produced by blow of a geological pick point.

Trench excavation

All hand excavateable material in trenches having a depth of less than 1,5 metres shall be excavated by hand.

Compaction of backfilling to trenches (areas not subject to traffic)

Backfilling to trenches shall be placed in layers of thickness (before compaction) not exceeding 100mm. Each layer shall be compacted using hand stampers

- a) to 90% Proctor density;
- b) such that in excess of 5 blows of a dynamic cone penetrometer (DCP) is required to penetrate 100 mm of the backfill, provided that backfill does not comprise more than 10% gravel of size less than 10mm and contains no isolated boulders, or
- c) such that the density of the compacted trench backfill is not less than that of the surrounding undisturbed soil when tested comparatively with a DCP.

Excavation

All hand excavateable material including topsoil classified as hand excavateable shall be excavated by hand. Harder material may be loosened by mechanical means prior to excavation by hand.

The excavation of any material which presents the possibility of danger or injury to workers shall not be excavated by hand.

Clearing and grubbing

Grass and small bushes shall be cleared by hand.

Shaping

All shaping shall be undertaken by hand.

Loading

All loading shall be done by hand, regardless of the method of haulage.

Haul

Excavation material shall be hauled to its point of placement by means of wheelbarrows where the haul distance is not greater than 150 m.

Offloading

All material, however transported, is to be off-loaded by hand, unless tipper-trucks are utilised for haulage

Spreading

All material shall be spread by hand.

Compaction

Small areas may be compacted by hand provided that the specified compaction is achieved.

Grassing

All grassing shall be undertaken by sprigging, sodding, or seeding by hand.

Stone pitching and rubble concrete masonry

All stone required for stone pitching and rubble concrete masonry, whether grouted or dry, must to be collected, loaded, off loaded and placed by hand.

Sand and stone shall be hauled to its point of placement by means of wheelbarrows where the haul distance is not greater than 150m.

Grout shall be mixed and placed by hand.

Manufactured Elements

Elements manufactured or designed by the Contractor, such as manhole rings and cover slabs, precast concrete planks and pipes, masonry units and edge beams shall not individually, have a mass of more than 320kg. In addition the items shall be large enough so that four workers can conveniently and simultaneously acquire a proper hand hold on them.

3.3.4 Bill of quantities

Labour-intensive works must be highlighted in the bills of quantities for the payment items relating to labour-intensive works.

The following wording, as appropriate, should be included in the pricing Instructions and in the bills of quantities in the pricing data:

1. Those parts of the contract to be constructed using labour-intensive methods have been marked in the bill of quantities with the letters LI in a separate column filled in against every item so designated. The works, or parts of the works so designated are to be constructed using labour-intensive methods only. The use of plant to provide such works, other than plant specifically provided for in the scope of work, is a variation to the contract. The items marked with the letters LI are not necessarily an exhaustive list of all the activities which must be done by hand, and this clause does not over-ride any of the requirements in the generic labour intensive specification in the Scope of Works.
2. Payment for items which are designated to be constructed labour-intensively (either in this schedule or in the Scope of Works) will not be made unless they are constructed using labour-intensive methods. Any unauthorised use of plant to carry out work which was to be done labour-intensively will not be condoned and any works so constructed will not be certified for payment.

The following payment items should be included in the bill of quantities:

Description	Unit	Quantity	Rate	Amount
Training allowance paid to targeted labour in terms of formal training	Person days	(insert quantity)	(insert specified day rate)	
Extra over for the administration of payment of training allowances to targeted labour	Person days	(as above)		
Transport and accommodation of workers for training where it is not possible to undertake the training in close proximity to the site. (Provisional sum)	Sum	(insert provisional sum)		

4 Design checklist

Cognisance of the following should be taken in the design of labour-intensive works:

1. Earthworks must be designed taking consideration of the method of construction, namely labour intensive.
2. Vertical and horizontal alignment of the works (roads, trenches, pipelines and stormwater channels) should be such to optimise cut and fill, minimise deep or hard excavation or areas requiring specialist engineering input for example dewatering or specialist ground stabilisation.
3. During the design of gravel roads, suitable construction material should be sourced in close proximity to the site of the Works.
4. Drawings must be produced and presented in a clear easily understandable way. Where setting out information is provided in the form of coordinates it should be backed up with methods, not relying on sophisticated surveying instruments, such as offsets measurable will the use of a standard tape. Where possible and appropriate drawings should be produced using a background of ortho photos to provide for easily identification of surrounding features.
5. Except in special circumstances, drawings should be produced in a form that is easily readable in A3 format.
6. Where the haul distance is greater than 150m, and less than 5000m the use of small volume local transport, particularly using animal drawn vehicles should be considered.
7. Excavation in material which may constitute a safety hazard for workers must be excluded.
8. All pre-manufactured materials which are incorporated into the Works must be sized such that the mass of individual elements does not exceed 320kg.
9. Hazardous material such as lime or harmful chemical stabilizing agents must not be included in the Works.
10. Stone masonry and grouted stone pitching should be included wherever suitable material is available to the exclusion of pre-cast or cast in situ concrete stormwater structures.
11. Where compaction of road layer works is required, it must be carried out using conventional compaction equipment (mechanised pedestrian rollers where possible). Compaction of small areas and in trenches may be carried out using hand stampers.
12. Consideration must be given to alternative design of trenches for gravity pipelines to reduce depth of excavation.
13. Where there is an indication of local skills, e.g. bricklaying, structures should be designed to make use of such skills.
14. There are appropriate designs for labour-intensive construction of low-cost surfacing for low-volume roads, such as the Cape Seal and interlocking concrete blocks. Refer to Appendix A for further details.

APPENDIX A: SOURCES OF ADDITIONAL INFORMATION

The following sources provide comprehensive information in respect of the following topics:

Topic	Reference	Obtainable from
Besa building system	Agrément South Africa's Guideline 1, The Manufacture of BESA Blocks Agrément Open Certificate OC-1/2003. Agrément Open Certificate OC-2/2003. CIDB. Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. Part 3: Section 2- The BESA Building System	Agrément South Africa www.agrement@csir.co.za Construction Industry Development Board www.cidb.org.za under the section "job creation"
Brick and block making	CIDB. Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. Part 3: Section 1- Precast Concrete Products, Brick and Block Making	Construction Industry Development Board www.cidb.org.za under the section "job creation"
Bituminous Surfacing	Methods and Procedures Labour Enhanced. Construction for Bituminous surfacings Manual 12, March 1993. SABITA.	Southern African Bitumen and Tar Association.
Bituminous Surfacing	Methods and Procedures Labour Enhanced. Construction for Bituminous surfacings Manual 11', March 1993. SABITA.	Southern African Bitumen and Tar Association.
Conditions of Employment	Code of Code of Good Practice for Employment and Conditions of Work for Special Public Works Programmes Ministerial Determination: Special Public Works Programmes	EPWP Unit of the Department of Public Works
Concrete Block Paved Roads	Macleod, Concrete Block Paved Roads: The Development Potential .Construction and Development .Series, Number 8. Development Bank .of Southern. Africa. September, 1993	Development Bank of Southern Africa.
Concrete roads	Low-volume concrete roads by Bryan Perrie	Cement and Concrete Institute www.cnci.org.za
Earthworks	CIDB. Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. (Download from www.cidb.org.za) • Part 2: Labour-based construction methods for earth works • Appendix 1: Quantitative Employment Data on Selected Construction Activities	Construction Industry Development Board www.cidb.org.za under the section "job creation"
Labour intensive projects and programmes	McCutcheon, RT (ed) (1993). Interim Guidelines for employment-intensive construction projects. Construction and Development Series Number 2, Midrand: Development Bank of Southern Africa, February 1993 McCutcheon, RT and Marshall J (1996). Labour-intensive Construction and Maintenance of Rural Roads : Guidelines for the Training of Road Builders, Construction and Development Series, Number 14 (Midrand: DBSA, November 1996) McCutcheon, RT and Filip, LM (ed). Employment and high -standard infrastructure. Work Research Centre for Employment Creation in Construction (2003)	Development Bank of Southern Africa School of Civil Engineering, University of the Witwatersrand.

Labour productivities	CIDB. Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. • Appendix 1: Quantitative Employment Data on Selected Construction Activities	Construction Industry Development Board www.cidb.org.za under the section “job creation”
Minimum wages	Wage determination for the Civil Engineering Sector	www.safcec.org.za under the section “human resources”
Monitoring the employment of workers / compliance with the provisions of SANS 1914-5	SANS 10396, Implementing Preferential Procurement Policies Using Targeted Procurement Procedures • Annex G: Implementing employment intensive infrastructure projects which target the increase of employment opportunities generated per unit of expenditure • Annex J: Third party management support	Standards South Africa (division of the South African Bureau of Standards)
Pre-cast concrete works	CIDB Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. • Part 3: Section 1- Pre-cast Concrete Products, Brick and Block Making	Construction Industry Development Board www.cidb.org.za under the section “job creation”
Preparing procurement documents	CIDB Best Practice Guidelines for Procurement C1: Preparing Procurement Documents SANS 10403, Formatting and Compilation of Construction Procurement Documents	Construction Industry Development Board www.cidb.org.za under the section “job creation” Standards South Africa (division of the South African Bureau of Standards)
Roads	CIDB Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. • Part 2: Labour-based construction methods for earthworks • Part 4: Section 4 - Foam bitumen gravel • Part 4: Section 5 - Cast in-situ block pavements (hysen cells) • Part 4: Section 6 - Emulsion treated gravel • Part 4: Section 7 - Waterbound macadam • Part 4: Section 8 - Slurry bound and composite macadams • Part 4: Section 9 - Labour-based methods for unsealed roads • Appendix 1: Quantitative Employment Data on Selected Construction Activities	
Rubble concrete masonry	CIDB Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. • Part 4: Section 2 – Rubble masonry dam construction technology • Part 4: Section 3 – Rubble masonry concrete arch bridge construction technology	Construction Industry Development Board www.cidb.org.za under the section “job creation”
Stormwater drainage	CIDB Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. • Part 4: Section 1 – Labour-based Open Channel Flow Technology	Construction Industry Development Board www.cidb.org.za under the section “job creation”
Trenches	CIDB Best Practice Guidelines for Labour-based Methods and Technologies for Employment Intensive Construction Works. (Download from www.cidb.org.za) • Part 2: Labour-based construction methods for earthworks • Appendix 1: Quantitative Employment Data on Selected Construction Activities	Construction Industry Development Board www.cidb.org.za under the section “job creation”

APPENDIX B: TYPES OF INFRASTRUCTURE WHICH ARE SUITABLE FOR CONSTRUCTION USING LABOUR INTENSIVE METHODS

B.1 Roads

The following operations may be carried out using labour intensive methods:

1. Site clearance
2. Layer work construction including loading, hauling and spreading material.
Note: All compaction should be done using conventional compaction equipment and where necessary the use of heavy machinery may be employed to loosen material for excavation by hand. Where significant use of blasting is indicated, then the Works are probably not suitable for labour intensive methods.
3. Where higher standards of roads are to be constructed then the following operations may be included:
 - Macadam base course either dry, water bound or emulsion bound; foamed bitumen gravel; emulsion treated gravel; or slurry bound or composite macadams .
 - Application of bitumen bound surface treatment (cold) including spreading and dragging of chips.
 - Slurry treatments to existing or new road surfaces.
 - In situ concrete roads.
 - Segmented block paved roads.
 - Cast in-situ block pavements (hysen-cells);
 - Road markings.
4. Fencing.
5. Erection of road signs.
6. Grass maintenance.
7. Road reserve maintenance.
8. Rubble masonry bridges, culverts and retaining walls

B.2 Stormwater

The following operations may be constructed using labour intensive construction methods:

1. Gabions and reno mattresses.
2. Small diameter pre-cast concrete elements (pipes and arches).
3. Grassed or lined water channels

B.3 Sewers

The following operations may be constructed using labour intensive construction methods:

1. Sewer manholes either in brickwork or using specially manufactured pre-cast manhole rings (individual mass less than 320kg).
2. Sewer manhole covers and lids using specially designed pre-cast units.
3. Maturation or flocculation ponds with least dimension not exceeding 100m.

B.4 Water

The following operations may be constructed using labour intensive construction methods:

1. Laying of water pipelines, fittings and house connections in all materials (including steel) where the mass of individual pipe lengths does not exceed 320kg.
2. Construction of ferro-cement reservoirs.
3. Excavation for membrane lined and floating roof reservoirs.
4. Construction of small masonry reservoirs.
5. Spring and well protection measures

B.4 Haul of Material

Where the haul of any material exceeds 200m, consideration should be given to the use of local resources for transporting material. This includes the use of animal drawn vehicles and small trailer combinations utilising locally sourced tractors. All loading and off loading can be done by hand.

B.5 Electricity

The following operations may be constructed using labour intensive methods:

1. Excavation of trenches for reticulation of all voltages.
2. Excavation for and erection of poles for overhead lines.
3. Installation of all electricity cables (joints and terminations by qualified persons).

B.6 Houses, schools and clinics

Housing is seen as labour-intensive, but the number of local people that could be employed may be enhanced by one or more of the following:

1. Manufacture of masonry elements on site.
2. Excavation of all foundation trenches by hand.
3. Manufacture of roof trusses on site.
4. Adoption of the BESA System

Note: 1) In the BESA system walls are constructed using bitumen emulsion stabilised adobe blocks and mortar. External and internal wall surfaces can be finished in a variety of ways using a mortar mix or a cement/sand plaster.

2) The BESA Building System is the subject of an open certificate issued by Agrément South Africa. The concept of an open certificate is that the technology is not the intellectual property of any company or individual and the information is available to anyone who wishes to use it. Any competent person, company or institution who wishes to use this system and is capable of carrying out this work in accordance with the terms and conditions of certification and undertakes to do so, may apply to Agrément South Africa to be registered as a holder of this open certificate.

APPENDIX C: REQUIRED SKILLS PROGRAMMES

C.1 Client/ Employer

It is recommended that personnel within public bodies complete skills programmes for NQF registered unit standards, as set out in Table C.1.

Table C.1: Skills programme for client / employer staff

Personnel	NQF	Unit Standard Title	Skills Programme Description
Senior management and professionals	7	Develop and Promote Labour-Intensive Construction Strategies	Skills Programme against this single unit standard
Middle (technical)	5	Manage Labour-Intensive management Construction Projects	Skills Programme against this single unit standard
Middle (admin)	5	Manage Labour-Intensive management Construction Projects	Skills Programme against this single unit standard

C.2 Consultants

The person responsible for the design and documentation of the labour intensive works, must have completed, or be registered on a skills programme for, the NQF level 7 unit standard "Develop and Promote Labour Intensive Construction Strategies". (see Table C.2)

The person who is responsible to the employer for the administration of the contract, must have completed, or be registered on a skills programme for, the NQF level 5 unit standard "Manage Labour Intensive Construction Projects". (see Table C.2)

Table C.2: Skills programme for consultants

Personnel	NQF	Unit standard Title	Skills Programme Description
Administrator / Site Supervisor	5	Manage Labour Intensive Construction Projects	Supervisor Skills Programme against this single unit standard
Designer	7	Develop and Promote Labour-Intensive Construction Strategies	Skills Programme against this single unit standard

C.3 Contractors

The unit standards for contractors are outlined in Table C.3.

Contractors having a CIDB contractor grading designation of 5CE and higher shall only engage supervisory and management staff in labour intensive works who have either completed, or for the period 1 April 2004 to 30 June 2006, are registered for training towards, the skills programme outlined in Table 1.

Contractors having a CIDB contractor grading designation of 1CE, 2CE, 3CE and 4CE shall have personally completed, or for the period 1 April 2004 to 30 June 2006 be registered on a skills programme for the NQF level 2 unit standard. All other site supervisory staff in the employ of emerging contractors must have completed, or for the period 1 April 2004 to 30 June 2006 be registered on a skills programme for, the NQF level 2 unit standards or NQF level 4 unit standards.

Personnel	NQF	Unit standard Titles	Skills Programme Description
Team Leader / Supervisor	2	Apply Labour-Intensive Construction Systems and Techniques to Work Activities	This unit standard must be completed, and } any one of the 1 unit standards must be completed
		Use Labour-Intensive Construction Methods to Construct and Maintain Roads and Stormwater Drainage	
		Use Labour-Intensive Construction Methods to Construct and Maintain Water and Sanitation Services	
		Use Labour-Intensive Construction Methods to Construct, Repair and Maintain Structures	
Foreman / Supervisor	4	Implement Labour-Intensive Construction Systems and Techniques	This unit standard must be completed, and } any one of the 3 listed unit standards must be completed
		Use Labour-Intensive Construction Methods to Construct and Maintain Roads and Stormwater Drainage	
		Use Labour-Intensive Construction Methods to Construct and Maintain Water and Sanitation Services	
		Use Labour-Intensive Construction Methods to Construct, Repair and Maintain Structures	
Site Agent / Manager	5	Manage Labour-Intensive Construction Processes	Skills Programme against this single unit standard

APPENDIX D:

DEFINITIONS OF PROGRAMME INDICATORS

Person-days of Employment Created

The number of people who worked on a project x the number of days each person worked.

Job Opportunities

1 job opportunity = paid work created for an individual on an EPWP project for any period of time. In the case of social sector projects, learnerships will also constitute job opportunities. The same individual can be employed on different projects and each period of employment will be counted as a job opportunity.

Project Wage

Minimum Daily Wage Rate = daily wage (whether task-rated or time-rated) per individual project. This wage rate must be inserted in the Project tender document as per the EPWP Guidelines.

Training Person-Days

A formal EPWP training course has been arranged by the Dept. of Labour. The number of training person-days attending this course or modules of this course must be captured.

For Other Training 1 training day = at least 7 hours of formal training. The number of Training Person-days is the number of people who attended training x the number of days of training.

A distinction must be made between accredited and non-accredited training person-days.

Project Budget

The project budget = the price tendered by the contractor + the professional fees for the professional service provider appointed to design and supervise the project. The project budget excludes government management & administration costs.

Actual Expenditure

Actual expenditure = the expenditure on the project by the contractor + the expenditure by the professional service provider appointed to design and supervise the project.

The actual expenditure excludes expenditure on government management & administration.

Demographic Characteristics of Workers

The number of workers that fall within the following categories must be recorded:

- Youth (i.e. 18 – 35 years of age)
- Women
- People with disabilities

The definitions contained in the Preferential Procurement Regulations of 2001 for these categories of beneficiaries will be utilised.

THIS FORM REFERS TO THE PROJECT PLAN AS BEFORE THE START OF THE PROJECT, AND NOT TO ACTUAL INFORMATION.

Field requested	Description if needed	Comment
Budget		
Source of funds	Which organisations will be contributing to the funding of the project and how much will each organisation contribute? Please choose from the following:	Budget amounts
	District Municipality	
	Donors	
	EPWP	
	IGP	
	Loans	
	Local Municipality	
	MIG	
	National Department	
	Provincial Department	
What will be the annual budgets of the project?	Per national financial year. Take into account all financial years in which this project will be active.	Annual budget amount
	2010	
	2011	
	2012	
	2013	
	2014	
Milestones		
<i>Milestone</i>	<i>Will this milestone be measured (Yes / No)</i>	<i>Target Date</i>
Project approved		
Consultant appointed		
Detailed Design specifications approved		
Tender report approved		
Construction started		
Implementation complete		
EPWP Indicators		
<i>Indicator</i>	<i>Indicate Yes or No</i>	
Consultant contract compliant with EPW guidelines		
Contractor compliant with EPW requirements		
Exit Strategy		
Branding Compliant		
Planned EPWP Infrastructure outputs		
<i>Output</i>	<i>Tick if applicable</i>	<i>Measure in km / sqm / no etc - Indicate value i.e km of roads to be constructed</i>
Km of roads constructed to standard		
Km of pipelines installed to standard		
Km of storm water drains constructed to standard		
Km of sidewalks constructed to standard		
No of bridges		
No of erf connections		
No of pipe / box culverts		
No of pump stations		
No of Reservoirs		
No of retention dams		
No of standpipes		
No of transfer facilities		
No of VIP's		
Sqm of bus ranks		
Sqm of community hall		
Sqm of landfill site		
Sqm of taxi ranks		
Sqm of treatment works		
Sqm of buildings		
Sqm of Grass cutting		
Km of fencing		
Sqm of Clinic Construction and Rehabilitation		
Number of classroom construction and rehabilitation		
Planned training		
Accredited courses		
Cost estimate	Provide information if available	
Number or person training days	The total number of days for all persons to attend training	
Number of people to attend	The total number of people that will attend training	
Number of women to attend	This includes adult women and youth women	
Number of youth to attend	All persons aged 35 and under	

Non-accredited		
Cost estimate	<i>Provide information if available</i>	
Number or person training days	<i>The total number of days for all persons to attend training</i>	
Number of people to attend	<i>The total number of people that will attend training</i>	
Number of women to attend	<i>This includes adult women and youth women</i>	
Number of youth to attend	<i>All persons aged 35 and under</i>	
Planned labour		
Employment generation details	Planned Number of Person days of employment	Planned Persons to be Employed
Adult men		
Adult women		
Youth men		
Youth women		
Disabled		
Planned labour		
Minimum daily wage	<i>As per the contract document</i>	R
Planned number of employees from the indigent list	<i>Has this public body specified that a number of persons from the indigent list has to be employed? If so, what number of persons?</i>	