

DR BEYERS NAUDE MUNICIPALITY	POLICY: LEAVE POLICY	RESPONSIBLE ADMINISTRATION UNIT : HUMAN RESOURCE DEPARTMENT
ADOPTED BY COUNCIL ON 18 JUNE 2019 RESOLUTION : EXCO- 050.4/19	TO BE REVISED: JUNE 2021	CORPORATE SERVICES

LEAVE POLICY

TABLE OF CONTENTS

1.	Policy Statement and Purpose	3
2.	Scope of Application	3
3.	Legislative Framework	3
4.	Definitions Clause	3-4
5.	Policy Provisions	5
	5.1 Annual Leave	5
	5.2 Sick Leave	6-7
	5.3 Additional Paid Sick Leave	8
	5.4 Special Sick Leave	8
	5.5 Measures to Manage Sick Leave	9
	5.6 Maternity and Adoption Leave	9-10
	5.7 Family Responsibility Leave	10-11
	5.8 Study Leave	11-12
	5.9 Special Leave	12
6.	Encashment of Leave	12-13
7.	Unpaid Leave	13
8.	Time off for Trade Unions	13-14
9.	Leave less than eight (8) hours a day	14
10.	Absenteeism	14
11.	Desertion	14
12.	Roles and Responsibilities	14
	12.1 Heads of Department	14
	12.2 Employees	15
	12.3 Human Resource Section	15
13.	Payment of Remuneration	15
14.	Dispute Resolution Procedures	15
15.	Conclusion	15
16.	Annexure A: Leave Procedure	16-23

1. POLICY STATEMENT AND PURPOSE

- 1.1. This policy seeks to give effect to the South African Local Government Bargaining Council (SALGBC) Main Collective Agreement and the SALGBC Eastern Cape Division Collective Agreement on Conditions of Services which came into effect from the 01 April 2011;
- 1.2. It also seeks to regulate the taking, usage, accumulation and management of leave by employees; and it promotes common and uniform leave management for employees within the Municipality and replaces or supersedes all existing leave policies.
- 1.3. These sections of this policy emanated and/or are regulated by the South African Local Government Bargaining Main Collective Agreement therefore it cannot be changed, namely:
 - 1.3.1. Annual leave, Sick leave and Additional paid sick leave, special sick leave, Maternity leave, Family responsibility leave, Incapacity Leave, Long Service and Special leave [Sports, Court Subpoena)

2. SCOPE OF APPLICATION

- 2.1. This policy is applicable to all employees, except employees employed under section 54A and 56 of the Local Government: Municipal Systems Act (Act 32 of 2000) as amended.

3. LEGISLATIVE FRAMEWORK

- 3.1. Labour Relations Act, 1995 (Act 66 of 1995) as amended;
- 3.2. Municipality's System of Delegation, as amended from time to time
- 3.3. Basic Conditions of Employment Act 75 of 1997 as amended.
- 3.4. SALGBC Main Collective Agreement.
- 3.5. Eastern Cape Consolidated Conditions of Service.

4. DEFINITIONS CLAUSE

Definitions on terms and acronyms used within this policy.

- 4.1. All expressions used in this policy which are defined in the Labour Relations Act 66 of 1995 as amended, shall bear the same meaning as in the Act and unless the contrary intention appears;
- 4.2. Words importing the masculine gender shall include the feminine;
- 4.3. All reference to days shall be to working days;

- 4.4. Cycle shall mean the period of twelve (12) months (January to December) consecutive employment with the same employer immediately following an employee's commencement of employment or following the completion of that employee's existing leave cycle;
- 4.5. Senior Management shall be those employees employed as a Municipal Manager, and Managers directly accountable to the Municipal Manager;
- 4.6. An employee is defined as follows: any person, excluding an independent contractor, who works for another person or for the State and who receives, or is entitled to receive, any remuneration; and any other person who in any manner assists in carrying on or conducting the business of an employer, and 'employed' and 'employment' have meanings corresponding to that of 'employee';
- 4.7. **Medical practitioners** shall mean all practitioners as defined by the Health Professions Council of South Africa (Medical and Dental Practitioners) and Traditional Healers registered with the recognized professional council in terms of legislation;
- 4.8. **Valid Medical Certificate** means an original medical certificate which complies with the Ethical and Professional Rules of the Medical and Dental Professions Board of the Health Professions Council of South Africa issued by a registered medical practitioner, or any other person who is certified to diagnose and treat patients, who is registered with a professional council established by an Act of Parliament;
- 4.9. **Child:** means a person who is under 18 years of age and as per the provisions of the medical scheme rules;
- 4.10. **Life Partner** refers to a spousal equivalent that lives together, in the same residence, indefinitely with a staff member, with whom s/he shares a common domestic life whilst not being a legal marriage, the relationship encompasses most or all of the obligations that would normally arise out of a legal marriage including responsibility for each other's welfare;
- 4.11. **A dependent** is someone who is sustained by another person, such as a child supported by his or her parents, generally includes all of those people whom the person is under a legal duty to support financially or otherwise, such as a spouse or life partner and minor children.

5. POLICY PROVISIONS

5.1. ANNUAL LEAVE

5.1.1. Council shall grant an employee the following annual working days leave in a leave cycle (associated to the date of employment of the employee):

5.1.1.1. Twenty-four (24) days for a five- (5) day worker; and

5.1.1.2. Twenty-seven (27) days for a six- (6) day worker.

5.1.2. Accrual commences from the first day of each month. However, should an employee commence on the 15th of a month accrual will be pro rata.

5.1.3. An employee is required to take leave within each leave cycle as follows:

A five- (5) day worker shall take a minimum of sixteen (16) consecutive days leave; and

A six- (6) day worker shall take a minimum of nineteen (19) consecutive days leave.

5.1.4. Leave may be accumulated to a maximum of forty-eight (48) days.

5.1.5. Should the employee be unable to take such leave as a result of operational requirements (due to work related obligations) the employee may be allowed to take such leave in the following year before end of June.

5.1.6. If, despite being afforded an opportunity to take leave, an employee fails, refuses or neglects to take the remaining leave due to him during this period, such remaining leave shall be forfeited.

5.1.7. Any leave in excess of forty-eight (48) working days may be cashed in should the employee be unable to take such leave, despite applying and because the *employer* refused to grant him such leave, as a result of the employer's operational requirements

5.1.8. Employees are therefore encouraged to take their leave periodically when their leave days exceed forty-eight (48) days.

5.1.9. Leave balances are printed on an employee's pay slip. When employee's leave days are about to reach forty-eight (48) days the onus is on the employee to inform his immediate supervisor and ensure that he utilizes such leave. Human resources may also notify the relevant Head of Department and employee.

5.1.10. In the event of the termination of service, an employee shall be paid his leave entitlement calculated in terms of the relevant provisions of the Basic Conditions of Employment Act, 1997.

- 5.1.11 The employer must grant annual leave not later than six (6) months after the end of the annual leave cycle.
- 5.1.12 Leave may be taken as consecutive days or as occasional days.
- 5.1.13 Employees may take leave only if agreed by the immediate supervisor and respective section manager, which leave will not be unreasonably withheld.
- 5.1.14 Employees are responsible for completing the leave request form (available from the immediate supervisor or the HR Section), getting it authorized by the immediate Supervisor and Section Manager. (leave procedures appears in clause) and submitting it to HR, at least 5 working days prior to their going on leave, or in a case of an emergency or if the circumstances permit one day before or on the day the leave is taken.
- 5.1.15 All leave must be recommended by the immediate Supervisor and approved by the Section Manager. All applications for leave shall be in writing on the prescribed form and must be submitted at least 5 working days before the commencement date of leave. An employee shall not proceed on leave unless such leave has been pre-approved.
- 5.2 **SICK LEAVE**
 - 5.2.1 With effect from the new sick leave cycle, an employer shall grant an employee eighty (80) days sick leave in a three (3) year leave cycle, provided that in respect of new appointments an employee may not take more than 30 days sick leave in the first year of employment.
 - 5.2.2 The employee shall be required to submit a medical certificate from a registered medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a profession's council established by an Act of Parliament, if more than two (2) consecutive days are taken as sick leave. The employer may request a sick leave certificate for every day of sick leave where there is evidence of abuse of sick leave.
 - 5.2.3 The Municipality shall be in a position to consult the employees' Doctor(s) for information verification and enquiries in the event that there are serious anomalies regarding the sick leave taken.
 - 5.2.4 The employer is not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.
 - 5.2.5 The dates applied for must coincide with the dates of the medical certificate.

- 5.2.6 The certificate issued by the medical practitioner should contain the following information:

The name, address & qualification of the practitioner;

The name of the employee;

The date and time of the examination;

Whether the certificate is being issued as a result of personal observations by the practitioner during an examination, or as the result of information received from the employee and which is based on acceptable medical grounds;

Whether the employee is totally indisposed for duty or if the employee is able to perform less strenuous duties;

The exact period of recommended sick leave

The date of issuing of the certificate of illness;

Original signature of the medical practitioner who issued the certificate and his or her initials and surname;

- 5.2.7 Employees who are frequently off or absent on more than two occasions during an eight-week period will be required to produce a medical certificate.
- 5.2.8 Employees who are on sick leave for any reason are assumed to be confined to their places of residence. Should such employees not comply with this requirement, and if there is a malicious suspicion in the opinion of the Employer, investigations will be conducted against the affected employee.
- 5.2.9 It is the responsibility of an employee to contact the employer by 09h00 and make the employer aware that she/he is not feeling well and that she/he will be seeing a medical practitioner. In the event that the employee is booked off sick, the employee has the responsibility to inform the employer that he or she will be booked off for the prescribed days so that the employer is aware of his/her whereabouts.
- 5.2.10 Immediately after resumption of duty the employee must fill in a sick leave form with the required medical certificates and submit it to the supervisor or manager for approval.

5.3 ADDITIONAL PAID SICK LEAVE

5.3.1 Employees who have a balance of at least sixty (60) working days unused sick leave at the end of a three-year cycle, shall receive an additional twenty (20) working days paid sick leave to which he will be entitled in the ensuing cycle, provided that in respect of any sick leave cycle no employee shall become entitled to more than one hundred (100) working days sick leave on full pay.

5.3.2 If the maximum period of sick leave to which an employee is entitled has been granted to him and, owing to reasons of ill health, he is not able to resume duty, the Municipality must grant such employee an additional sixty (60) working days sick leave in respect of chronic illnesses and/ or illnesses requiring hospitalization, which shall be made up as follows:

5.3.2.1 Thirty (30) working days on full pay;

5.3.2.1.1 Thirty (30) working days on half pay. The following conditions shall apply:

5.3.2.1.2 Provided that the employee has submitted a satisfactory certificate from a registered medical or dental practitioner, or a Traditional Healer registered with a recognized Professional Council in terms of legislation; and

5.3.2.1.3 If the employer is satisfied that the employee is - at that moment not permanently incapacitated to resume his normal duties

5.3.2.1.4 Such additional sick leave must be granted in respect of separate periods of absence and in respect of illnesses of different kinds.

5.3.2.1.5 On written application by an employee, who has exhausted his/her full paid sick leave and additional full paid sick leave, annual leave which he has to his credit must be granted to supplement sick leave on half pay or no pay at the discretion of the employee concerned.

5.4 SPECIAL SICK LEAVE (INJURY ON DUTY)

5.4.1 An employee who is absent from duty owing to an injury arising out of his duties and occurring in the course thereof or owing to an illness contracted in the course of and as a result of his duties, such sick leave shall be governed by the provisions of the compensation for Occupational Injuries and Diseases Act 1993 (Act no 130 of 1993).

5.5 MEASURES TO MANAGE SICK LEAVE

- 5.5.1 If an employee to whom annual leave has been granted is certified sick by a registered medical or dental practitioner after his annual leave has commenced, that part of his annual leave during which he was thus certified sick shall be converted into sick leave on submission of the prescribed certificate by such medical or dental practitioner or a Traditional Healer registered with a recognized professional council in terms of legislation.
- 5.5.2 If, due to illness, an employee is unable to take annual leave already deducted, he shall be credited with an equal number of annual leave days.
- 5.5.3 An employee may not during any period of sick leave approved in terms of these conditions, resume service without the approval of a registered medical practitioner.
- 5.5.4 An employee who is absent from service because of illness must take all reasonable steps to notify his immediate supervisor (nominee) before the commencement of work.
- 5.5.5 An employee to whom the maximum period of full paid sick leave has been granted, may be granted sick leave without pay for not more than two hundred and fifty (250) working days in any cycle if the Municipality is satisfied that such an employee is not permanently incapacitated to resume his duties, provided that where sick leave without pay exceeds forty (40) consecutive days, the employee must be examined by a registered medical practitioner appointed by the Municipality. The cost of such examination shall be paid by the Municipality. (Sick Leave is measured as per the collective agreement)
- 5.5.6 The Municipality may, prior to granting additional paid sick leave, require an employee to submit himself to an examination by a registered medical or dental practitioner appointed by the Municipality and the cost of such examination shall be paid by the Municipality.

5.6 MATERNITY AND ADOPTION LEAVE

- 5.6.1 An employee, including an employee adopting a child under three (3) months, shall be entitled to receive three (3) months paid maternity leave with no limit to the number of confinements or adoptions. This leave provision shall also apply to an employee whose child is still born. Maternity leave for confinement purposes may be granted to an employee subject to the following qualification requirements and restrictions:
 - 5.6.1.1 The employee must have completed a continuous period of service of twelve (12) calendar months (one year's service) at the municipality before any provision in this policy may be utilized by such employee;

- 5.6.1.2 An employee shall provide the employer with **four weeks' notice** of the intention to take maternity leave prior to the expected confinement date i.e. at least four weeks before and six weeks after the confinement as per provisions of the Basic Conditions of Employment Act 1997;
- 5.6.1.3 An employee shall be entitled to receive three (3) months paid maternity leave, one month unpaid or an employee can take leave which she has to her credit, with no limit to the number of confinements;
- 5.6.1.4 An employee shall retain her normal benefits and conditions for the period of absence due to maternity leave;
- 5.6.1.5 An employee who has a miscarriage during the third trimester of pregnancy or bears a stillborn child is entitled to maternity leave for six (6) weeks after the miscarriage or stillbirth, whether or not the employee had commenced maternity leave at the time of the miscarriage or still birth.
- 5.6.1.6 Should an employee not have completed 12 consecutive months of service and thus not qualify for the maternity benefit, she may exercise a choice in respect of the utilization of available annual leave with full payment or annual leave without pay.
- 5.6.1.7 Should an employee be willing to work until it is closer to the confinement date, such an employee must submit a Doctor's certificate which confirms the safety/fitness for work during these days.
- 5.6.1.8 Should an employee be unfit for work during the last four weeks of pregnancy, the maternity leave will be deemed to have commenced.

5.7 FAMILY RESPONSIBILITY LEAVE

- 5.7.1 This section applies to all employees who has been in employment with an employer for longer than four [4] months. For the purpose of this clause, family responsibility leave cycle commences on 1 January of each year.
- 5.7.2 An employer must grant an employee, during each annual leave cycle, at the request of the employee, five (5) days' paid leave, which the employee is entitled to take
 - 5.7.2.1 when the employee's child is born;
 - 5.7.2.2 when the employee's child is sick; or
 - 5.7.2.3 the employee's spouse or life partner is sick;
 - 5.7.2.4 in the event of the death of:
 - 5.7.2.4.1 the employee's spouse or life partner; or

- 5.7.2.4.2 the employee's parent, adoptive parent, grandparent, parents – in law, child, adopted child, grandchild or sibling (a child in relation to another or others of the same parent; a brother or sister).
- 5.7.3 Subject to subsection 5.7.2 an employer must pay an employee family responsibility leave as follows: -
- 5.7.3.1 the wage the employee would ordinarily have received for work on that day; and
- 5.7.3.2 on the employee's usual pay day.
- 5.7.4 An employee may take family responsibility leave in respect of the whole or a part of a day.
- 5.7.5 An employee must submit satisfactory proof of an event contemplated in subsection 5.7.2 for which the leave was required.
- 5.7.6 An employee's unused entitlement to leave in terms of this section lapses at the end of the annual leave cycle in which it accrues.

5.8 STUDY LEAVE

- 5.8.1 This section applies to employees who are pursuing studies in line with the inherent requirements of the job and/or career path. In order to qualify for study leave an employee must submit valid proof of registration for an accredited institution. Study leave to a maximum of 2 days per subject.
- 5.8.2 Study leave is granted for the purpose of exam preparation (1day) and writing of exam (1day). However, no study leave would be granted on Friday where an employee is writing exams on a Monday and a day immediately before a public holiday.
- 5.8.3 Study leave will not be granted for writing of class tests, failed or supplementary examinations and attending contact sessions during working hours. Employees are encouraged to use their annual or unpaid leave to cover such working days.
- 5.8.4 Options to be negotiated above the normal study leave entitlement as per Dr. Beyers Naudé Local Municipality (DBNM) rules and regulations could include leave with pay, leave without pay.
- 5.8.5 Only employees whose study programmes are approved for Postgraduate studies and long distance learning shall be granted leave of absence from work in order to attend contact sessions as required by their study programme on a 50/50 basis i. e. 50% annual leave and 50% study leave to a maximum of 10 days per annum

- 5.8.6 Such leave shall only be approved on production of a semester or study programme as envisaged in the studies engaged.
- 5.8.7 Employees who are studying on their own will qualify for the same study leave days (two working days leave) provided to employees who participate in the study assistance programme.
- 5.8.8 Accordingly study leave applications and proposals should be discussed by staff with their Managers as part of their annual work plan or programme.
- 5.8.9 Leave applications should be submitted on the Dr. Beyers Naudé Local Municipality's normal approved application form where the Manager / Supervisor recommend and the Head of Department approves.

All Special leave applications for examinations must be accompanied by an authentic examination time table from the relevant institution.

- 5.8.11 The employee shall be required to submit documentary proof that the examination was written.

5.9 SPECIAL LEAVE

- 5.9.1 A maximum of 10 (ten) days special leave on full pay per year shall be granted to an employee, subject to the submission of supporting documents, if the employee:
- 5.9.1.1 Is required to remain in quarantine on the instructions of a registered medical practitioner,
- 5.9.1.2 Is required to represent South Africa or the Province as a selected or official in a *bona fide* sports event, or a Provincial or National arts and culture event.
- 5.9.2 Special leave on full pay shall be granted to an employee who is subpoenaed to appear in Court as a witness (not as an accused) provided that proof is provided.

6 ENCASHMENT OF LEAVE

- 6.2 Annual Leave may only be encashed in the following instances:
- 6.2.1 On termination of service or;
- 6.2.2 Any leave in excess forty-eight (48) working days may be encashed should the employee be unable to take such leave, despite applying and because the *employer* refused to grant him such leave, as a result of the employer's

operational requirements. If, despite being afforded an opportunity to take leave, an employee fails, refuses or neglects to take the remaining leave due to him/her during this period; such remaining leave shall fall away.

7 UNPAID LEAVE

7.2 Unpaid leave is discouraged and will only be granted in exceptional circumstances at the discretion of the Head of Department.

7.3 All annual leave should ideally be exhausted before unpaid leave is taken.

7.4 Annual leave will not be accrued during unpaid leave, and any bonus or incentive on returning from unpaid leave, will be prorated to reflect the period of absence.

7.5 Employees may apply for the following types of unpaid leave:

7.5.1 Maternity Leave

7.5.2 Special Leave – Court Appearance – where the employee is the complainant or the accused.

8 TIME OFF FOR TRADE UNIONS

8.2 Shop stewards shall be entitled to 15 (fifteen) days per year with full pay during working hours for trade union activities and training.

8.3 Six (6) days of each shop steward's annual entitlement of time off shall be pooled and re-allocated at the trade union's discretion to the shop stewards at the employer concerned, provided that no single shop steward may take more than 21 (twenty-one) days off per year and that the total days in the pool are not exceeded.

8.4 Further request for time off for shop stewards shall not be unreasonably refused.

8.5 Trade unions shall give notice to the employer in advance of the intention to take time off.

8.6 Such time off should be recorded on a leave form.

8.7 Trade Union Activities include shop stewards attending:

8.7.1 Shop steward council meetings;

8.7.2 Regional shop steward council meeting;

8.7.3 Regional executive committee meetings;

8.7.4 National or Provincial congresses of SAMWU or IMATU; and

8.7.5 Training

- 8.8 Trade Union Activities does not include shop stewards representing their members at disciplinary hearings, conciliations, arbitrations and grievance hearings.

9 LEAVE LESS THAN EIGHT (8) HOURS A DAY

- 9.2 If an employee has worked for less than four (4) hours in a day and takes leave for the remaining hours of that day such an employee will be required to submit leave for the full day.
- 9.3 If an employee has worked for four (4) hours and/or more in a working days and takes leave for the remaining hours such day will be regarded as if an employee has worked the entire working day, provided that the same employee does not submit the same request in an eight (8) week period. In that event a person should submit a full day's leave.

10 ABSENTEEISM

- 10.2 Refer to Absenteeism Policy.

11 DESERTION

- 11.2 Refer to Absenteeism policy.

12 ROLES AND RESPONSIBILITIES

12.2 HEADS OF DEPARTMENTS

- 12.2.1 Heads of Departments shall be responsible to ensure effective management of leave through the following:
- 12.2.1.1 Monitoring, with the assistance of the Human Resource Section, the taking of leave within the department to ensure that no abuse thereof occurs through and not limited to the scrutiny of attendance records to establish negative trends in attendance since such behavior may often be indicative of more severe problems (psychological, physical etc.).
- 12.2.1.2 Ensuring that the procedure manual (annexure A) in relation to leave management is always adhered to.
- 12.2.1.3 Ensuring that all employees have a leave plan for their leave cycle and adhere to it.
- 12.2.1.4 Ensure that leave taken is in accordance with the leave plan.
- 12.2.1.5 Reconcile attendance registers with the leave control registers and leave forms in their respective departments on a monthly basis before submission to the Human Resource section.

12.3 EMPLOYEES

- 12.3.1 Employees shall be responsible to ensure that they take their leave within the prescripts of the Conditions of Service and the Leave Policy and commit to not abusing their leave.

12.4 HUMAN RESOURCE SECTION

- 12.4.1 Responsibilities of the Human Resource Section in leave management shall include but not limited to the following:

12.4.1.1 Consult regularly with managers and supervisors responsible for managing employee leave.

12.4.1.2 Provide guidance and technical assistance before administrative action is initiated to ensure the proposed action is appropriate and timely.

12.4.1.3 Ensure managers and supervisors have up-to-date information regarding leave statistics.

12.4.1.4 Monitor and analyze leave utilization, i.e. sick leave and leave without pay as well as unscheduled absence occurrences regularly, on a pay period basis at a minimum.

12.4.1.5 Identify absenteeism trends (e.g. excessive unscheduled occurrences) and advise Management on corrective action to be taken.

13 PAYMENT OF REMUNERATION

- 13.2 In the event of termination of service, an employee shall be paid his/her leave entitlement calculated in terms of the relevant provisions of the Basic Conditions of Employment Act, 1997.

14 DISPUTE RESOLUTION PROCEDURES

- 14.2 Any dispute relating to both the interpretation of the provisions of this policy as well as the Municipal decision on any specifics in leave case(s) shall be dealt with in accordance with the dispute resolution mechanism provided for in the applicable SALGBC Collective Agreement and/or Labour Relations legislation.

15 CONCLUSION

- 15.2 The correct implementation of this policy within the Municipality will have great benefits for both employers and staff members. It will assist in proper regulation of leave by Dr Beyers Naudé Municipality and also give effect to the implementation of SALGBC Collective Agreements.

DR.BEYERS NAUDÉ LOCAL MUNICIPALITY LEAVE PROCEDURE MANUAL

TABEL OF CONTENTS

CONTENTS	PAGE
DEFINITIONS.....	3
PURPOSE.....	3
OBJECTIVES.....	3
PROCEDURE FOR IMPLEMENTATION.....	3
APPLICATION FOR LEAVE OF ABSENCE PROCEDURE (ON THE USAGE OF THE FORM).....	. 7
APPLICATION OF MANUAL.....	9
RECONCILIATION OF LEAVE REGISTER WITH ATTENDANCE REGISTERS	9

DEFINITIONS

Basic Conditions of Employment Act: means the Act 75 of 1997

Collective Agreement: means condition of service as concluded in the Bargaining Council.

Annual Leave: means accrued leave days as outlined by the BCEA (Section 20).

Authority: designated Official to approve the leave as per delegation framework policy.

AWOL: Absent without leave.

PURPOSE

The manual outlines the procedure and processes to be followed when one applies for the annual, sick, family responsibility, special, injury on duty, maternity and Union activities leave and leave encashment.

OBJECTIVES

Council's leave procedure manual is aimed at outlining the procedure to be followed with regards to the application and approval of leave.

PROCEDURE FOR IMPLEMENTATION

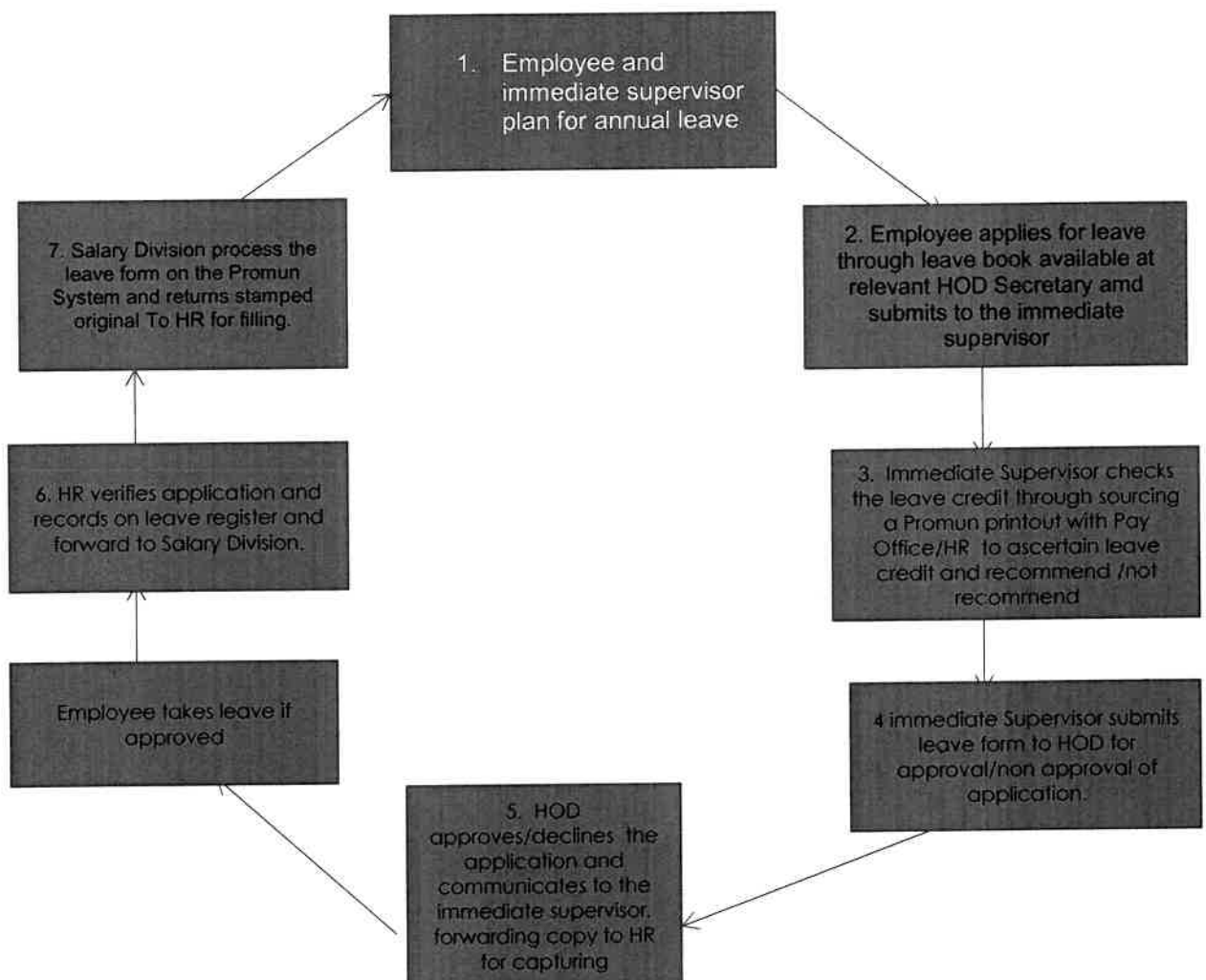
1. At the beginning of each year and/or leave cycle both the employer and the employee shall plan when an employee shall take annual leave in the current leave cycle for operational arrangement purposes.
2. When an employee requires to take short leave (one or two days leave) during the leave cycle, such employee shall advise the employer (immediate supervisor) of the intention in advance (not less than FIVE working days prior the commencement of the leave day applied for) by completing the application form.
3. The leave application book is in triplicate and each offering numbered to be completed for dissemination as follows:
 - a. The original copy will be for the Human Resource Section for filing on personal records,
 - b. The second copy will be attached to the attendance register for reconciliation at the Pay Office, and
 - c. The third copy will remain in the leave application book, whereupon it will be returned to the Human Resource Section for records.
4. The leave application book together with the Departmental employee lists (depicting the employees name, number, ID number and engagement date) shall be disseminated to the Head of Departments for access by respective

Departmental employees, who shall sign for receipt and return on the leave book register.

5. All employees shall be informed of their leave credits as follows:
 - i) HR (Salary Office) to employees: Monthly pay slips once before the end of the month.
 - ii) HR (Personnel Administration) to Heads of Departments: Monthly credit reports by HR to the Heads of Departments on the 1st of each month.
 - iii) HR (Personnel Administration) to Supervisors: print leave credit of individual employees from upon application for leave as and when requested.
6. Under no circumstances can annual leave be backdated unless a written submission is made to the Manager of the Department outlining the reasons as to why it should be backdated.
7. The immediate supervisor on receipt of the application for leave shall recommend or not recommend the leave application with valid reasons thereof attached.
8. Before the immediate supervisor recommends the leave application, the immediate supervisor shall verify with both HR and Salary divisions if such employee has available leave days' credit (with a leave credit statement attached from the VIP system) and if the application conforms with the leave policy requirements, then the leave application shall be referred to the Head of Department (HOD) to approve or not approve with valid reasons.
9. If the HOD approves the leave application, the same leave application form is referred to HR division for verification and recording on the leave register and stamped with the captured stamp as proof of such.
10. The HR division will advise the salary division by supplying or referring the same leave application form to the Salary Division and keeping a copy on the employee's personal file.
11. If both HR and Salary division are satisfied that the application for leave meets all the necessary requirements, the leave application will then be processed on the Promun system.
12. The immediate supervisor shall be responsible to advise the employee who applied for leave whether the leave application will be granted or not upon approval by the Head of Department.
13. Dr. Beyers Naudé Local Municipality reserves the right to reverse the leave provided should it be found at a later stage that the leave did not conform to the leave requirements.
14. In such cases the employee shall be required to pay back the leave days taken by reducing available leave days of such employees by the equal

number of leave days taken and or deducting from employees salary the equal amount of leave days taken in terms.

15. On a monthly basis HR to provide of Departments with leave debit and credit reports for reconciliations with the attendance register before submission of attendance registers to HR and Planning.
16. Employees to be informed of their leave credits through their monthly pay slips.
17. Leave books shall be submitted to the HR Section by the Head of Departments on a weekly basis before the close of business on Thursday for capturing on the leave register and processing on Friday and returned to the Heads of Departments by Monday before 09H00.



APPLICATION FOR LEAVE OF ABSENCE PROCEDURE (ON THE USAGE OF THE FORM)

INTRODUCTION

The applicant for Leave of Absence Procedure is designed to govern and manage the authorization and processing of leave for employees within the Dr.Beyers Naudé Local Municipality.

PROCEDURE

- Leave of Absence shall be subject to the Management approval.
- An employee shall apply for leave of absence on a form approved by Council.
- The prescribed leave form can be obtained from the leave book situated with the respective HOD.
- Authorization for absenteeism needs to be obtained in terms of the Conditions of Service and Leave Policy prior to the leave date requested.
- Except in the case of sick leave, the period from the date on which an application for leave is received until the date on which the leave begins shall not be shorter than the period of leave applied for: Provided that a shorter period may be allowed under exceptional circumstances.
- The Department must ensure that the leave form corresponds with the attendance register.

- **Section A - Personal Particulars**
 - Complete Section A in full
 - Clearly indicate if you are a Shift Worker or not in the field provided.
 - Sign the Application for Leave of Absence form.

- **Section B – Leave Period**
 - Write in the period of Absence and clearly indicate if it is days or shifts. For shifts, attach shift roster to the Application for Leave of Absence Form.

- **Section C –Leave Information**
 - Clearly identify type of leave required. Mark the applicable block.
 - Unpaid leave is marked when an employee has no more leave days available.
 - Unauthorized leave is marked when and employee is absent from work without prior approval.
(Total days absent will be deducted from employee's salary as unpaid leave).

5.3 PROCEDURE: APPLICATO FOR LEAVE OF ABSENCE

- Where applicable, ensure that all required documents are attached to the application form. See table below:

LEAVE	For shifts, attach shift roster. For Time Off (hours), attach proof for example Attendance register
SICK LEAVE	Attach medical certificate of a registered medical practitioner if absent for more than two consecutive days. The employer is not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request of the employer, does not produce an medical certificate stating that the employee was unable to work for the duration of the employees' absence on account of sickness or injury.
Family responsibility leave (Applies to employees after four months service)	<p>Birth of Child (Paternity) Attach proof of Birth of Child. (Paternity leave to commence immediate after birth of child).</p> <p>Sick Child Attach medical certificate from a registered medical practitioner stating that the parent had to attend to the child.</p> <p>SICK SPOUSE / LIFE PARTNER Attach medical certificate from a registered medical practitioner stating the spouse / life partner / was sick.</p> <p>DEATH OF CLOSE RELATIVE Attach copy of the funeral letter or death certificate. Categories – In the event of death:</p> <ul style="list-style-type: none"> ✓Employee's spouse or life partner ✓Employee's parent ✓Employee's adoptive parent ✓Grandparent ✓Child ✓Adopted child ✓Grandchild ✓Sibling: Brother and Sister ✓In-laws (mother, father and grandparents)
Maternity Leave (Three months paid maternity leave and 1 month	- Attach a medical certificate from a registered medical practitioner stating the expected date of confinement. Must comply with Basic Conditions

unpaid leave after completion of one year's service)	<p>of Employment Act and Collective Agreement of Service.</p> <ul style="list-style-type: none"> - The employee will be required to work back the period of paid maternity leave actually taken. An agreement needs to be completed prior to commencement of maternity leave.
Special leave	<p>Attendance of Classes / Lectures</p> <ul style="list-style-type: none"> - Comply with all the prerequisites of the - Attendance of Classes Policy of DNBLM. - Ensure that the applicable agreement is completed and signed by all relevant parties prior to the commencement of the course. - Apply for special leave to attend classes on the prescribed form. - Attached Time Table from Institution confirming the employee's name, date of class attendance and subjects. - Attached attendance register- must be signed by lecturer, employee, supervisor and Head of Department. <p>Study / Examination Leave</p> <ul style="list-style-type: none"> - Special leave shall be granted for study and examination leave at accredited Institutions subject to the applicable Council policy. - Attached Time Table from institution stating the employee's name and date of examination. <p>Union Leave (Shop Stewards) – According to the Organizational Rights Agreement Attach necessary documentary proof.</p> <p>Other Special Leave Attach the necessary documentary proof.</p>

- **Section D -Approval**

- No leave application will be accepted without the final approval from authorized officials.

- **Section E**

- To be completed by the applicable Manager.
- Submit the approved application form to the HR for processing thereof.

APPLICATION OF MANUAL

The procedure will be applicable to all employees of the Council for proper management and control measures for the administration of leave. The manual will apply when approved by the Council after consultation with all stakeholders of the Council. The implementation and monitoring of the policy will rest with the section heads and departmental Managers whilst corporate services remains the custodian of the manual or its implementation.

RECONCILIATION OF LEAVE REGISTER WITH ATTENDANCE REGISTERS

- Supervisors should ensure that leave taken by employees is recorded in the attendance register promptly.
- Before attendance registers are submitted to the salaries section, the HR (Personnel Administration) should ensure that the completed leave forms on the leave book accompany the attendance registers for reconciliation purposes.
- The Human Resource Section should print the number of days available for all employees on a monthly basis on their salary advices in order to avoid the queue on the office wanting to confirm the number of days available for each employee.


E M RANKWANA
MUNICIPAL MANAGER

26/9/19
DATE