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Department of Health  
**NORTHERN CAPE**

## Northern Cape Department of Health Special Leave Policy

### *Version control*

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**Definitions/Abbreviations:**

**“Day of rest”** Days over the weekend and public holidays.

**“Resettlement”** from one place of employment to the other in the content of this policy it would be within the Northern Cape Department of Health.

**“Supplementary Examination”** is an additional **exam** that may be approved for a student.

## **1. Policy Aim**

- 1.1. The aim of this policy is to regulate the absence of employees in relation to special leave and to provide guidelines and procedures for applying and granting of special leave.

## **2. Policy Scope**

- 2.1. This policy is applicable to all employees of the Northern Department of Health irrespective of the nature of their employment.
- 2.2. The policy applies and binds all employees employed in the Department at all levels as well as certain provisions that relates to interns and Learnership.

## **3. Policy Statement**

- 3.1. It is the policy of the Northern Cape Department of Health that:
  - 3.1.1. Employees will be granted special leave for the following circumstances/categories:
    - 3.1.1.1. Examinations
    - 3.1.1.2 Class attendance
    - 3.1.1.3. Participation in sports at National and Provincial level
    - 3.1.1.4. Interdepartmental resettlement due to a transfer
    - 3.1.1.5. Appearance in court
    - 3.1.1.6. Treatment for substance abuse
    - 3.1.1.7. Sabbatical Leave
    - 3.1.1.8. Interviews
    - 3.1.1.9. Exposure to Health Risks

### **3.2. General Provisions**

- 3.2.1. An employee may be granted leave after completion of a leave application form if he/she has a permanent contract/fixed-term contract and that no other binding agreement or regulation applies.

3.2.2. The leave application form must be signed and dated by the following employees:

3.2.2.1. Requested by the employee concerned;

3.2.2.2. Recommended by the employee's supervisor;

3.2.2.3. Refers to Head of Department/Designated person.

3.2.3. An employee will not stay away from his/her place of work unless an application for leave of absence has been lodged in writing and the application has been approved.

3.2.4. All applications must be made at least seven (7) days in advance unless it is an urgent matter and beyond the control of the employee.

3.2.5. All applications must have proof attached; no application will be accepted without an attachment.

3.2.6. Special leave days granted will not exceed the number of days as stipulated in the Determination and Directive on Leave of Absence in the Public Service.

### **3.3. Examination**

3.3.1. An employee may be granted two (2) working days leave with full pay on which one day she/he sits for the preparation and one day for examination, if in the opinion of the Head of Department, to better equip the person concerned for a career in the Public Service, irrespective of whether it relates to her/his immediate field of work or not.

3.3.2. The employer may give an additional day and the employee may use his/ her annual leave to match the employers offer. This means that there will be a maximum of four days for study/ exam purposes per subject.

3.3.3. Employees who attend classes to do presentations and tests may be granted two (2) days leave, but to a maximum of two sessions per annum.

3.3.4. Special leave for attendance of classes during working hours may be granted if it seek to advance/s the interest of the Department and Public Services.

3.3.5. The examination/s referred to may include ordinary school subjects up to Grade 12 (matric).

3.3.6. If the special leave granted in terms of 3.3.1, 3.3.3 and 4.3.4 precedes and succeeds a day of rest or two or more consecutive days of rest, such a day or days of rest, although to be recorded as special leave, must be disregarded when calculating the number of day's special leave which may be granted to the employee.

3.3.7. An employee who repeats a course or part thereof, may with the approval of his/her immediate manager, be released from duty on condition one day's annual leave is granted from the annual days in respect of every eight (8) hours she/he is released from duty.

3.3.8. A timetable from a recognized institution with the student's name, student number and the date stamp of the institution must be attached as proof when submitting Leave forms.

#### **3.4. Attendance of classes during office hours**

3.4.1. Attendance of classes during working hours must be in the interest of the Department and/or Public Service.

3.4.2. An employee who studies part-time or by means of correspondence at a recognised educational institution and who as a result of her/his studies, is required to be absent from her/his place of work, may be released from duty on condition that he she takes a day's annual leave with full pay for every 16 hours she/he is so release from duty i.e. the sixteen hours will be divided as 8 hours annual and 8 hours special leave.

3.4.3. If an employee's annual leave is exhausted, days to her/his credit, she/he shall take a day's annual leave without pay.

3.4.4. Employees who attend classes to do presentations and tests as a package may be granted two (2) days leave in connections with such attendances, but to a maximum of two sessions per annum.

3.4.5. A timetable / schedule of classes to be attended from a recognized institution with the student's name, student number and the date stamp of the institution must be attached as proof when submitting Leave forms.

### **3.5. Participation in sports at Provincial and National level**

3.5.1. An employee who participates in any registered sport, in any capacity except as a supporter, and represent the Department, province or country, shall be granted special leave for the period as stated in a written confirmation from the relevant body or institution. Proof of registration for such sport will be required.

Interns, learners who are on Learnership programme are required to complete indemnity forms when participating.

### **3.6. Interdepartmental Resettlement**

3.6.1. Upon the request of the employer, an employee who has been transferred into the Department would be granted a maximum of two (2) days special leave to oversee the packing and unpacking of his/her personal belongings. If more days are required, an employee will utilise his/her annual leave days.

3.6.2. This leave is only applicable for movement within the Public Sector.

### **3.7. Appearance in Court**

3.7.1. When an employee has been subpoena to appear in court in a criminal case as an accused or witness, she/he may be granted special leave.

3.7.2. When an employee has been subpoenaed to appear in court as the accused, she/he must utilize her/his annual leave. If the employee is acquitted or the case has been withdrawn, an application may be made to convert the annual leave days used for attending court to special leave.

3.7.3. The documentation which substantiates the date(s) which the employee has to appear before the court must be attached to the leave application form.

### **3.8. Treatment for substance abuse**

- 3.8.1. The Department may grant special leave with full pay of up to a maximum of 60 days per annual cycle to an employee for the purpose of attending rehabilitation if referred or recommended by a registered specialist or licensed Medical Practitioner, to be admitted to an accredited in-patient drug or alcohol treatment centre or programme.
- 3.8.2. The special leave will be granted to an employee who abuses alcohol or any other drugs in cases where employee's behaviour is affecting his/her works performance and the employee is willing to be rehabilitated.
- 3.8.3. The employee must have successfully served probation; or have been permanently appointed on a fixed term contract of more than a year with continuous satisfactory service and has been in service for more than a year in the contract.
- 3.8.4. The direct supervisor of the employee must submit a progress report to the Head of Department on a quarterly basis on the progress of the employee after returning from the rehabilitation.

### **3.9. Sabbatical Leave**

- 3.9.1. Sabbatical is defined as a break from work often lasting from two (2) months to a year, for example when taking a career break or to achieve something i.e. writing a book, travelling or extensive research.
- 3.9.2. Special leave without pay may be granted for sabbatical.
- 3.9.3. Sabbatical leave can only be approved by the Head of Department.
- 3.9.4. Sabbatical leave may only be granted with full pay when approval is received from the Member of the Executive Council.



### **3.10. Interviews**

3.10.1. If an employee is invited for an interview within the Public Service, special leave shall be granted to a maximum of two days per annum, provided that written proof of such invitation is submitted.

### **3.11. Environmental Risks**

3.11.1. In the event of an employee's exposure , in the course of his/her employment, to an environment which is regarded as a health risk , e.g. leaking gas, asbestos exposure, the manager may grant a period of special leave. However, the approval and duration of leave will be granted based on recommendations and report of the SHERQ manager /committee.

## **4. Instances for which the Department shall not require an employee to apply for leave.**

4.1. An employee shall not be regarded as absent from duty in the event of the following circumstances:

4.1.1. When he/she attends a meeting, conference, course, lecture or study tours for governmental purposes and in the interest of the Department, presented by the Public or Private sector and have been granted permission to attend.

4.1.2. When she/he is the aggrieved party during an investigation into her/his complaint or grievance, charged with misconduct during the disciplinary inquiry and as the person utilising a conciliation meeting. This includes conciliation, arbitration and adjudication.

## **5. Roles and Responsibilities**

5.1. The **Head of Department** shall:

5.1.1. Ensure that all employees abide by the rules and regulations set out in this policy.

5.2. The **Employee** shall:

- 5.2.1. Complete leave application form and attach all relevant proof as per requirements.
- 5.2.2. Ensure that leave application is approved before going on leave.

5.3. The **Immediate Supervisor** shall:

- 5.3.1. Receive all applications for leave and recommend/not recommend leave as requested by the employee.
- 5.3.2. Ensure the completeness of the recommended leave forms before submission for approval of the Programme Manager.

5.4. The **Programme Managers** shall:

- 5.4.1. Approve/not approve leave requested by an employee.
- 5.4.2. Ensure that all approved leave forms are submitted to HR for capturing on PERSAL.
- 5.4.3. Ensure that the unit have a leave schedule and monitor the schedule for his/her respective programme.

5.5. The **Human Resource Management** (Conditions of Service) shall:

- 5.5.1. Check and verify completeness and capture leave forms on PERSAL.
- 5.5.2. Conduct, analyse quarterly leave audits and report to the Director for Human Resource Management.
- 5.5.3. Provide training on leave management to all employees.

## 6. Review and Distribution

- 6.1. The **Director for Human Resource Management** is the responsible manager for this policy and for ensuring it is reviewed and updated.
- 6.2. This policy will be reviewed after 3 years but not later than 5 years from the last publication date. If necessary an updated version will be issued, if not a formal cover letter will be issued to supplement the cover of this Policy.
- 6.3. The Director for Policy and Planning will distribute updated versions to:
  - 6.3.1. Member of the Executive Council for Health.

6.3.2. Head of Department of Health.

6.3.3. All Chief Directors, Directors and Deputy Directors (who will in turn distribute to their staff as appropriate).

## 7. Acknowledgements and Sources

7.1. Public Service Act, 1994 as amended

7.2. Labour Relations Act 66 of 1995 as amended

7.3. Basic Conditions of Employment Act 75 of 1997 as amended

7.4. Public Service Regulations, 2001 as amended

7.5. Determination on Leave of absence in the Public Service, July 2015.

7.6. Public Service Coordinating Bargaining Council (PSCBC) Resolution 2 of 1999

7.7. Public Service Coordinating Bargaining Council (PSCBC) Resolution 3 of 1999

7.8. Public Service Coordinating Bargaining Council (PSCBC) Resolution 12 of 1999

7.9. Public Service Coordinating Bargaining Council (PSCBC) Resolution 7 of 2000

7.10. Public Service Coordinating Bargaining Council (PSCBC) Resolution 1 of 2012

Approved by the

Head of Department :

  
Ms GE Matlaopane

Date:

