



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

LEAVE MANAGEMENT POLICY 2026

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SIGN OFF

(i) Head of Department

This Leave Management Policy has been recommended by Mr V. Mlokothe in my capacity as the Head of Department for the Department Cooperative Governance and Traditional Affairs.

I am satisfied and concur with the contents of this Policy.

The development of the Leave Management Policy will ensure the department is able exercise its powers in compliance with the law and guide decision- making in the department.

Signed	
Designation	Head of Department
Date	13/09/2026

(ii) Executive Authority

The Department of Cooperative Governance and Traditional Affairs has unprecedented opportunity to improve the livelihoods of the people by effectively rendering the many services that it is expected to provide. We have envisaged a department that has the required capacity to respond adequately to challenges of its people.

I therefore trust that guidance from this Policy will contribute to the effective leave management in the department.

Signed	
Designation	MEC: Z.A Williams of Cooperative Governance and Traditional Affairs.
Date	28-09-2026

1. PREAMBLE

The Department of Cooperative Governance and Traditional Affairs as a caring employer commits itself in recognising and granting its employees periods of time-offs/ leave with or without pay to deal with family obligations or other personal commitments.

2. PURPOSE

- 2.1 To provide guidelines on leave management to all employees of the department including interns.
- 2.2 To put in place administrative mechanisms to effectively manage leave within the department.
- 2.3 To effect the administrative mechanisms stated in 2.2 above, by implementing Electronical Leave Management system (E-leave) wherein all employees are required to submit leave applications electronically instead of manually.

3. DEFINITIONS

Terms and definitions that will be used throughout the policy that need clarification for the reader can also include any keywords, technical terms and abbreviations that may be used in this document.

Word/Term	Definition (with examples if required)
Annual Leave	The days employees of an organization are permitted to be away from their employment position within 12 month period without consequences and with paid time-off work granted by employers to employees to be used for whatever the employee wishes.
AWOL (absence without authorized leave)	Any absence without prior leave application, that is, without the staff member informing his or her line manager within a reasonable period or without a medical certificate in the cases of sick leave and without approval.
Capped Leave	Annual leave accrued prior to 1 July 2000.
Child	Means the employee's son or daughter, who is under 18 years of age.
Child with special needs	Child with severe special needs is a child who has a mental,

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	emotional or physical disability certified by a medical practitioner, which requires health and related services of a type or amount beyond that which is required by children generally. For the purposes of this provision "child" means the employee's son or daughter of any age.
Commissioning parent	A person who enters into a surrogate motherhood agreement with a surrogate mother.
E Leave	Electronic administration of leave
Examination Leave	It is leave of absence on full pay prior to an examination date for preparation and it also includes the date of examination.
Immediate family	Employee's parent, adoptive parent, parents-in-law, sister and brother-in-law, grandparent, child (employee's son or daughter, or son or daughter-in-law, stepchild or sibling).
Immediate Family member	Means an employee's parent, adoptive parent, step-parent, parents-in-law, sister and brother-in-law, grandparent, child, adopted child, step-child, grandchild or sibling. For the purpose of this provision a "child" means the employee's son or daughter, and where applicable son-or daughter-in-law, of any age.
Intern	A student or recent graduate who works for a period of time at a job in order to get work experience.
Leave	It is a pre-approved paid absence from work to be used for personal reasons.
Leave Determination	It is a legislative prescript applicable to all those that are employed either on full-time, part-time or occasional basis in terms of the Public Service Act and falls within the scope of the PSCBC.
Mutalis Mutandis	Mutatis mutandis" is a Latin legal term meaning "with the necessary changes having been made" or "with the appropriate modifications."
Precautionary suspension	The employer may place an employee on precautionary suspension on full pay if the employee is alleged to have committed a serious offence, and the employer believes that the presence of an employee at the workplace might jeopardize any investigation into the alleged misconduct or endanger the well-being or safety of any

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	person or state property. A suspension of this kind is a precautionary measure that does not constitute a sanction.
Professional Councils	The Health Professions Council of South Africa The Allied Health Professions Council of South Africa The South African Nursing Council
Quarantine Leave	A full pay on medical certificate up to 21 days at a time.
Surrogate mother	An adult woman who enters into a surrogate motherhood agreement with the commissioning mother.
Surrogate motherhood agreement	A valid agreement in terms of section 292 of the Children's Act between a surrogate mother and a commissioning parent in which it is agreed that the surrogate mother will be artificially fertilised for the purpose of bearing a child for the commissioning parent and in which the surrogate mother undertakes to hand over such a child to the commissioning parent upon its birth, or within a reasonable time thereafter, with the intention that the child concerned becomes the legitimate child of the commissioning parent.

3.2 ACRONYMS

ACRONYM	MEANING
BCEA	Basic Conditions of Employment Act
E-Leave	Electronical Leave Management
PILIR	Policy and Procedure on Incapacity Leave and Ill health Retirement
PSCBC	Public Service Coordinating and Bargaining Council

4. APPLICATION AND SCOPE

This policy shall be applicable to all employees of the department appointed in terms of the Public Service Act, 1994(as amended) with the inclusion of interns.

5. LEGISLATIVE FRAMEWORK

- 5.1 The Constitution of Republic of South Africa, Act 108 of 1996;
- 5.2 PSCBC Resolution 3 of 1999, as amended;
- 5.3 Public Service Act, 1994;
- 5.4 Public Service Regulations, 2016, as amended;
- 5.5 Basic Conditions of Employment Act, 1997;
- 5.6 Labour Relations Act 66 OF 1995, as amended;
- 5.7 Public Finance Management Act, Act No.1 of 1999;
- 5.8 Compensation for Occupational Injury & Diseases Act (COIDA), Act No. 130 of 1993;
- 5.9 Policy and Procedure on Incapacity Leave and Ill-health Retirement (PILIR), 2021;
- 5.10 DPSA Circular: Ref 17/6 of 24 March 2007;
- 5.11 Determination and Directive on Leave of absence in the Public Service June 2018;
- 5.12 Determination and Directive on Leave of absence in the Public Service August 2021
- 5.13 Determination and Directive on Special Leave of absence in the Public Service March 2024;
- 5.14 Determination on Interns in the Public Service 2010;
- 5.15 Protection of Personal Information Act, 2013(POPIA).

6. POLICY PRINCIPLES

- 6.1 Consistency
- 6.2 Transparency
- 6.3 Accountability
- 6.4 Participation
- 6.5 Value System
- 6.6 Fairness

7. PROBLEM STATEMENT

Leave management is the responsibility of every employee and more importantly line managers/ supervisors who are required to monitor attendance registers on a daily basis as they are an important component of leave management.

8. POLICY STATEMENT

The Department of Cooperative Governance and Traditional Affairs in its endeavor in ensuring that management leave is placed at the highest level in terms of its management as it is a critical element of day-to-day operations.

9. CONSULTATION PROCESS WITH STAKEHOLDERS

A number of affected stakeholders including employees at all levels have been consulted throughout the review process and their inputs and comments were obtained and incorporated into this Policy. Legal Advisory Services was consulted for legal advice and ensured that the policy is in the correct format and language to validate the legal soundness of the Policy. Management of the Department was consulted for inputs, buy-in and adoption.

10. ANNUAL LEAVE ACCRUED PRIOR TO 1 JULY 2000

- 10.1 Employees shall retain all audited leave credits accrued prior to 1 July 2000, i.e. Capped Leave.
- 10.2 The number of accrued leave days shall be converted into working days as per the prescribed formula reflected on the Determination and Directive on Leave of absence in the Public Service August 2021. Capped leave may be utilized when one's current annual leave and sick leave credits have been exhausted. It must be noted that the PERSAL system automatically debits the capped leave if there are no more credits on the current leave cycle.
- 10.3 The payouts of such leave credits shall be made in the event of:
 - 10.3.1 Death;
 - 10.3.2 Retirement; or
 - 10.3.3 Medical boarding / Discharge on grounds of continued ill-health.
- 10.4 The leave payout in respect of personnel with capped and audited leave credits shall be determined by Determination and Directive for Leave of Absence in the Public Service August 2021.

- 10.5 The Head of Department shall determine procedures and measures in keeping with service delivery needs, on how employees will be allowed to utilize their leave credits accrued prior to 1 July 2000 over and above the normal annual leave entitlements.

11. ANNUAL LEAVE ENTITLEMENT

- 11.1 Employees who have less than ten (10) years' service are entitled to annual leave of twenty (22) working days per annum.
- 11.1.1 Employees who have ten (10) or more years of service are entitled to annual leave of thirty (30) working days per annum.
- 11.1.2 Employees must take at least ten (10) days as leave days during the annual leave cycle, and the remaining leave days must be taken not later than six (6) months after the expiry of the relevant leave cycle, thereafter, all unused leave credits shall be forfeited.
- 11.1.3 An employee must submit his/her leave application in advance to avoid late capturing, and no leave request must be unreasonably refused.

12. ANNUAL LEAVE PAYOUTS

- 12.1 Employees shall be paid a cash value in respect of unused leave credit upon termination of service and in terms of paragraph 11.1.1 and 11.1.2 the payments will be limited to a maximum number of days, equivalent to the annual leave entitlements.
- 12.2 The leave cycle remains unchanged, therefore, requests and motivations for leave payments in respect of leave credits mentioned 11.1.1 and 11.1.2 shall be lodged by no later than 31 July in respect of each year. If an employee failed to apply for the payment of such unused leave credits at the aforementioned due date such unused leave credits shall be forfeited.
- 12.3 Payment of annual leave credits shall be calculated using the employee's salary notch/ package.

- 12.4 For all terminations in respect of personnel without any capped leave, leave pay-outs shall be computed using the applicable formulas in the Determination and Directive for Leave of Absence in the Public Service August 2021.

13. THE GRANTING OF ANNUAL LEAVE ON A PRO RATA BASIS

- 13.1 Employees who are appointed after the commencement of an annual leave cycle shall be entitled to annual vacation leave on a pro rata basis determined as a fraction of the entitlement in the Determination and Directive for Leave of Absence in the Public Service August 2021.
- 13.2 For purposes of utilizing leave entitlements, fractions or decimals must be utilized as they are. In other words, fractions or decimals must not be rounded off.
- 13.3 Directorates must keep manual records of the utilization of annual leave taken for part of a day. After reaching the prescribed daily number of working hours, the directorate must ensure that the employee submits a leave application form.
- 13.4 For purposes of converting fractions/decimals of leave entitlements into working hours the following formula(s) should apply:

Converting fractions into hours:

$$A \times B = C$$

Where-

A = represents the number of working hours in a day

B = represents the fraction

C = represents the credits in hours

For example: employees with 7, 45 leave credits on an 8 hours working day:

$$8 \times 0.45 = 3.6 \text{ hours}$$

Converting fractions into minutes:

$$60 \times B = C$$

Where -

60 = represents the minutes in an hour

B = represents the fraction

C = total credit in minutes

For examples: employees with 3.6 hours leave credits (see example above)

$$60 \text{ min} \times 0.60 = 36 \text{ minutes}$$

In other words, the employee with 7.45 day's leave credits has 7 days, 3 hours and 36 minutes' leave.

- 13.5** For the purposes of leave payouts, fractions or decimals must be used as they are in the formula provided for in paragraphs 13.4 of this Determination and Directive.
- 13.6** Unused fractions and decimals lapse at the end of the six months' period.
- 13.7** If an employee's annual leave entitlements changes e.g from 22 to 30 working days per annual after ten years' satisfactory service, the unused fractions or decimals must also be carried over to the new leave category and be administered manually.

14. TYPES OF LEAVE

14.1 ANNUAL LEAVE

- 14.1.1** Employees are entitled to annual leave with full pay during each leave cycle of 12 months, commencing on 1 January each year, except if appointed after 1 January of each year. The leave entitlement of an employee appointed after 1 January of each year shall be calculated proportionally in relation to each full month of service at a rate of 1,83 working days if entitled to 22 working days and 2.5 working days if entitled to 30 working days annual leave in a leave cycle.
- 14.1.2** Annual leave should be planned and scheduled at least at the start of a leave cycle, i.e January of each year.
- 14.1.3** Failure by the employee to submit his/her application form within the stated periods, or failure by the supervisor/manager to properly manage it, must be viewed in a serious light and disciplinary steps against the employee and/or supervisor/manager should be taken.
- 14.1.4** Employees should be cautioned timeously if, at the end of the relevant leave cycle, they have not utilized their leave entitlements.

- 14.1.5 An employee's application for annual leave should not be unreasonably refused. An application for annual leave should take the service delivery requirements of the Department into account.
- 14.1.6 Any refusal of annual leave must be confirmed in writing, stating the reasons and arrangements for rescheduling the annual leave.
- 14.1.7 Where leave has been rescheduled, the line manager must keep proper record of days rescheduled and dates that have been taken to avoid any possible abuse.
- 14.1.8 If, due to employer's service delivery requirements, an employee's application for leave is denied and not rescheduled, such leave must, upon request, be paid out to the employee at the end of the six (6) months' period referred to in paragraph 14.1.5 above. Employee requests for payment of unused leave credits must be:
- 14.1.8.1 In writing; and
- 14.1.8.2 Accompanied by written proof of refusal of leave by the Head of Department.
- 14.1.9 With effect from 31 January 2018, an employee on precautionary suspension while under investigations or allegations of misconduct are being completed or employees who have been suspended as sanction as a result of misconduct, within the six (6) months or after the expiry of the relevant leave cycle and who could not utilize their annual leave credits, must upon request, be paid out their annual leave credits at the end of the six (6) months' period. Employee requests for payment of leave credits must be-
- 14.1.9.1 In writing; and
- 14.1.9.2 Accompanied by written proof of suspension.
- 14.1.10 Heads of Department shall, at the end of the relevant eighteen (18) months' period, report to the relevant legislature on the number of employees denied annual leave, reasons for such denial and the amount paid in this regard.

14.2 COMPULSORY LEAVE

A reminder is issued in March of each year to notify all employees about the deduction

of leave days for compulsory leave for the particular year. Even if a leave application form has not yet been submitted for the compulsory annual leave for the period, the compulsory leave days will automatically be captured on PERSAL using the Alpha list PERSAL report whilst awaiting the submission of the leave application form. The circular notifying employees about the deduction of compulsory leave will be the source document. Employees are still required to submit their approved leave applications whether by E Leave System or manual applications if they have no access to the E Leave System for whatever reason.

14.3 NORMAL SICK LEAVE

- 14.3.1 An employee is entitled to thirty-six (36) working days sick leave with full pay, over a three (3) year period cycle. Any unused sick leave credits shall lapse at the expiry of the three (3) year cycle.
- 14.3.2 It is incumbent on the employee to utilize and manage his/her normal sick leave responsibly and with circumspect.
- 14.3.3 Sick leave may also be granted for at least ten (10) days, in cases where an employee must be quarantined, or isolated because of infectious diseases e.g. Measles, Tuberculosis or Covid 19.
- 14.3.4 An employee must submit his/her application for sick leave in respect of clinical procedures in advance, unless the treating practitioner certifies that such procedure has to be conducted as an emergency.
- 14.3.5 If an employee is unable to report for duty due to sudden illness or injury, he/she must personally and immediately notify his or her supervisor of her or his inability to report for duty. A verbal message to supervisor/manger by a relative, fellow employee or friend is only acceptable if the nature and/ or extent of the illness/injury prevents the employee of informing the supervisor/ manager personally.
- 14.3.6 An employee must submit an application for sick leave personally or through a relative, fellow employee within five (5) working days after the first day of absence. The employee's supervisor/manager/Head of Department and or his/her delegate must within two (2) working days from receipt of the leave application form recommend/ not recommend and or approve/disapprove the application and submit to the Directorate: Human Resource Management.

- 14.3.7 If the employee fails to submit an application within the period indicated in paragraph 14.3.6 above, the following arrangement applies:
- 14.3.7.1 The employee's manager/supervisor must immediately notify the employee that if such application is not received within 2 working days after the prescribed days stated above, the leave period will be regarded as unpaid leave or annual leave. If the employee fails to submit the application on time or provide compelling reasons why an application cannot be submitted, the supervisor/manager must immediately inform the Directorate: Human Resource Management and the relevant authority shall approve such absence as unpaid leave or annual leave if the employee consents. The employee's supervisor's/manager/ Head of Departments and/or/his/her delegate must within two working days from receipt of the leave application form recommend/ not recommend and/or approve/disapprove this leave application and submit to the Directorate: Human Resource Management in the Department.
- 14.3.7.2 Failure by the employee to submit his/her application form within the stated periods, or failure by the supervisor/manager to properly manage it, must be viewed in a serious light and disciplinary steps against the employee and/or supervisor/manager should be taken.
- 14.3.8 An employee must submit a medical certificate in respect of his/her sick absence for every occasion of 3 or more sick leave days, issued and signed by a practitioner or person registered with relevant Professional Councils.
- 14.3.9 If the employer establishes a pattern/trend in the employee's utilization of normal sick leave, the employer must require the employee to submit a medical certificate from a practitioner or person registered with relevant Professional Councils for periods of sick absences of less than three (3) days.
- 14.3.10 An employee, during his/her normal sick leave period, who has been absent from work on more than two occasions during an eight-week period, must regardless of the duration of the sickness or injury, submit 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. The 8-week period shall be a calendar period and commences on the first day of an employee's absence due

to sickness or injury. Any subsequent day of absence due to sickness or injury after the above-mentioned period must then be regarded as the first day of the next 8-week period. If the employee fails to submit the required medical certificate, the Head of Department must notify the employee that if the prescribed medical certificate is not received within 2 working days, the sick leave period will be regarded as unpaid leave or annual leave. If the employee fails to submit the medical certificate on time, the relevant absence must be covered by annual leave (with the employee's consent) and or/unpaid leave if insufficient annual leave credits are available or if the employee failed to notify the Head of Department of his/her choice. Failure by the employee to submit his/her medical certificate within the stated period must be viewed in a serious light and disciplinary steps against the employee should be taken.

- 14.3.11 Sick leave may also be granted in respect of periods where an employee must be quarantined or isolated for at least 10 consecutive days.
- 14.3.12 If an employee falls ill while on annual leave with full pay, such leave may be converted to sick leave provided that a certificate from a registered medical practitioner or person registered with professional councils established by an Act of Parliament.
- 14.3.13 An employee must submit a medical certificate in respect of his/her sick absence for every occasion of 3 or more sick leave days, issued and signed by a practitioner or person registered with the Professional Councils.
- 14.3.14 For every 15 consecutive calendar days' leave taken without pay, an employee's entitlement must be reduced by 1/72nd per sick leave cycle. The reduction is calculated and built within PERSAL system.

14.4 TEMPORARY INCAPACITY LEAVE

- 14.4.1 Incapacity leave is not an unlimited number of additional sick leave days at an employee's disposal. Incapacity leave is additional sick leave granted conditionally at the employer's discretion, read with Policy and Procedure on Incapacity Leave for Ill-health Retirement determined by the Minister for Public Service and Administration in terms of the Public Service Act, 1994.
- 14.4.2 An employee who has exhausted his/her normal sick leave, referred to in paragraph 14.3.1 above, during the prescribed sick leave cycle and who according to the treating medical practitioner requires to be absent from work

due to temporary incapacity, may apply for temporary incapacity leave with full pay on the applicable application form prescribed in terms of PILIR in respect of each occasion.

14.4.3 For an employee's application for temporary incapacity leave to be considered, the:

14.4.3.1 employee must submit sufficient proof/ medical evidence that she/he is too ill or injured to perform his/her work satisfactory.

14.4.3.2 Application form must, regardless of the period of absence, be accompanied by a medical certificate issued and signed by a medical practitioner that certifies his/her condition as temporary incapacity and if the employee has consented, the nature and extent of the illness or injury.

14.4.4 Employees are in accordance with 10(1) of Schedule 8 to the Labour Relations Act, 1995, afforded the opportunity to submit together with his/her application form:

14.4.4.1 Any medical evidence related to the medical condition of the employee, such as (a) medical report (s) from a specialist, blood tests results, x-ray results or scan results, obtained at the employee's expense, and;

14.4.4.2 Any additional written motivation supporting his/her application.

14.4.4.3 employees are requested to give his/her consent that medical information/records may be disclosed to the employer and/ or its Health Risk Manager and to undergo further medical examinations in terms of the assessment described in PILIR.

14.4.5 An employee must submit his/her application for temporary incapacity leave in respect of clinical procedures in advance, unless the treating medical practitioner certifies that such procedures have to be conducted as an emergency;

14.4.6 If overcome by as sudden illness or injury, the employee must personally notify his/her supervisor/ manager immediately. A verbal message to the supervisor/manager by a relative, fellow employee or a friend is only acceptable if the nature and/or extent of the illness or injury prevents the employee from informing the supervisor/manager personally.

- 14.4.7 An employee must submit an application for temporary incapacity leave personally or through a relative, fellow employee or friend within 5 working days after the first day of absence. The employee's supervisor or delegate must within two working days from receipt of the leave application form recommend/not recommend the application and submit same to the relevant Human Resource Management in the Department.
- 14.4.8 If the employee fails to submit an application within the period indicated in paragraph 14.4.6, the following arrangements apply:
- 14.4.8.1 The employee's manager/supervisor must immediately notify the employee that if such application is not received within 2 working days, the sick leave period will be regarded as unpaid leave or annual leave. If the employee fails to submit the application on time or compelling reasons why an application cannot be submitted, the supervisor/manager must immediately inform the Human Resource Administration Directorate and the relevant authority shall approve such absence as unpaid or annual leave if the employee consents. The employee's supervisor/manager/ Head of Department and/or his/her delegate must within two working days from receipt of the leave application form recommend/not recommend and/or approve/disapprove this leave application and submit to Human Resource Administration Directorate.
- 14.4.8.2 Failure by the employee to provide his/her application form within the stated periods, or failure by the supervisor/manager to properly manage it, must be viewed in a serious light and disciplinary steps should be taken.
- 14.4.9 The Head of Department, must within 5 working days from the receipt of the employee's application for temporary incapacity leave-
- 14.4.9.1 Conditionally grant a maximum of 30 consecutive working days' temporary incapacity leave with full pay subject to the outcome of his/her investigation into the nature and extent of the employee's illness/injury, and

- 14.4.9.2 Refer the application with all supporting evidence immediately to its Health Risk Manager in accordance with the PILIR for an assessment and advice –
- 14.4.9.2.1 on whether the employee's illness or injury justifies the granting of incapacity leave; and
- 14.4.9.2.2 which steps, if any, in accordance with the procedures contained in terms of Item 10(1) of Schedule 8 to the Labour Relations Act, 1995, with clause 7.5.1 of PSCBC Resolution 7 of 2000 as amended by PSCBC Resolutions 5 of 2001 and 15 of 2002, are necessary.
- 14.4.10 The Head of Department may request the employee, if he/she has consented thereto in his/her application form, as part of the process contemplated in sub-paragraph 14.4.8.2 above, to subject him/herself for one or more medical examinations by medical practitioners of the employer's choice and for the employer's account. If the employee fails to honour the appointments for such medical examinations, the employee shall be held responsible for any fruitless expenses incurred.
- 14.4.11 The Head of Department must within 30 working days after receipt of both application form and medical certificate referred to in paragraph 14.4.3.2 above, approve or refuse the temporary incapacity leave granted conditionally. In making a decision, the Head of Department must apply his/her mind to the medical certificate (with or without describing the nature and extent of the illness or injury) contemplated in paragraph 14.4.3.2, medical information/records contemplated in paragraph 14.4.3.4 (if the employee consented to disclosure), the Health Risk Manager's advice, the information supplied by the employee in terms of paragraph 14.4.3.3 (if any) and all other relevant information available to the Head of Department and based thereon approve or refuse the temporary incapacity leave granted conditionally, on conditions that the Head of Department may determine, e.g. to return to work etc.
- 14.4.12 The Head of Department may, on the basis of medical evidence gathered during its investigation approve the granting of additional incapacity leave days on conditions that he/she shall determine. The Head of Department may for this purpose grant conditionally further temporary incapacity leave.

- 14.4.13 The Head of Department, if applicable and as soon as possible, must after the receipt of the Health Risk Manager's advice, decide on the possibility of securing alternative employment for the employee, or adapting his/her duties or work circumstances to accommodate his/her incapacity or alternative employment and, as soon as possible approve and implement an action plan for this purpose.
- 14.4.14 If the Head of Department-
- 14.4.14.1 Approves the temporary incapacity leave granted conditionally, such leave must be converted into temporary incapacity leave, or
 - 14.4.14.2 Refuses the temporary incapacity leave granted conditionally, he/she must notify the employee in writing:
 - 14.4.14.2.1 Of the refusal;
 - 14.4.14.2.2 Of the reasons for the refusal;
 - 14.4.14.2.3 That the he/she must notify the Head of Department in writing 5 working days of the date of the notice to him/her whether or not the period of conditional incapacity leave must be covered by annual leave (to the extent of the available annual leave credits) or unpaid leave and that, if he/she fails to notify the Head of Department of his/her choice, the period will be covered by unpaid leave; and
 - 14.4.14.2.4 The employee may, if he/she is not satisfied with the Head of Department's decision, lodge a grievance in terms of section 35 of the Public Service Act.
- 14.4.15 The Head of Department must cover the period of absence, referred to in paragraph 14.4.13.2 (c) in accordance with the employee's written notification or, if the employee fails to notify that the Head of Department in terms of that paragraph or the annual leave credits are insufficient, the relevant period of absence must be covered by unpaid leave.

- 14.4.16 As regards the management of shift workers pertaining to normal sick leave and temporary incapacity leave the provisions contained in paragraph 8, above apply *mutatis mutandis*.
- 14.4.17 If an employee passes away after submitting an application for temporary incapacity leave a decision on such application must be made where the information provided is sufficient. However, where a decision cannot be made due to a lack of information the Head of Department or his/her application must take into account the recommendation from the Health Risk Manager.

14.5 PERMANENT INCAPACITY LEAVE

- 14.5.1 An employee shall not directly access or apply for permanent incapacity leave. The Head of Department may grant an employee up to a maximum of 30 working days' permanent incapacity leave once he/she has, following the assessment and investigation contemplated in paragraph 14.4.8.2 determined that the employee's condition is of a permanent nature.

The Head of Department must during the period referred to in paragraph 14.5.1 and in accordance with the advice from Health Risk Manager ascertain the feasibility of and implement its plan of action contemplated in paragraph 14.4.12, above, in respect of –

14.5.1.1. Alternative employment; or

14.5.1.2. Adapting duties or work circumstances to accommodate the employee.

- 14.5.2 An employee whose degree of incapacity has been certified as permanent, but who can still render a service, may be transferred to an alternative appropriate vacant post without a reduction in benefits.
- 14.5.3 In instances where the employee's transfer entails retraining or retooling, the employer must take requisite resources (time and financial) and potential returns into consideration before approving transfer.
- 14.5.4 The transfer of an employee should ensure the optimal utilization of his/her competencies and must not compromise service delivery.
- 14.5.5 If both the Head of Department and employee are convinced that the employee will never be able to render an effective service, the employee/employer may

proceed with the process of termination of service on account of continued ill-health in terms of section 17(2)(a) of the Public Service Act, as amended.

- 14.5.6 The Head of Department may extend the period of permanent incapacity leave referred to in paragraph 14.5.1 by a further 30 working days in order to finalize processes already commenced. If the processes set out in this Determination and Directive are not completed within the 60 working days, the Head of Department must report case to the Director General: Public Service and Administration with a report explaining the reasons for the delay.

14.6 LEAVE FOR OCCUPATIONAL INJURIES AND DISEASES

- 14.6.2 Employees, who, as a result of their work, suffer occupational injuries or contract diseases, shall be granted occupational injuries and disease leave for the duration of the period they are unable to work.

- 14.6.3 If an employee suffers a work-related injury as a result of accident involving a third party, the HOD shall grant her or him occupational injuries leave provided that the employee:

14.6.3.1 Will bring a claim for compensation against the third party; and

14.6.3.2 Undertake to use compensation (in terms of the Compensation for Occupational Injuries and Diseases Act of 1993) received to recompense as far as possible for the cost arising from the accident.

- 14.6.4 The Head of Department shall take reasonable steps to assist an employee to claim compensation according to 14.6.2 above.

- 14.6.5 When an employee is injured on duty or contracted an occupational disease the employer must pay the employee's medical expenses in terms of the provisions of the Compensation on Occupational and Injury and Disease Act. The employer may, depending on the circumstances, recover certain expenses in the event where a third party was involved in the accident. Please refer to the guide: "Application of the Compensation for Occupational Injuries and Diseases Act (COIDA) in the Workplace: A Guide for Government Departments" for further details as reflected on the SHERQ policy.

14.7 PRE-NATAL LEAVE

- 14.7.1 A pregnant employee will be entitled to eight (8) working days' pre-natal leave per pregnancy, allowing the employee to attend medical examinations by a medical practitioner or midwife and tests related to the pregnancy.
- 14.7.2 An employee can utilise a full day or part of a day for pre-natal leave. The Head of Department shall maintain a system to record episodes where the employee utilised part of a day. One day's pre-natal leave shall be deducted once the duration of absences equates the employee's prescribed daily working hours.
- 14.7.3 An application for pre-natal leave must have as an attachment reasonable proof that the employee attended a doctor's appointment or went for tests related to the pregnancy.
- 14.7.4 An employee who has used all her pre-natal leave may, subject to the approval of the Head of Department, apply to use available annual leave and/or unpaid leave.
- 14.7.5 Absences related to medical complications during the pregnancy will be covered by sick leave.

N.B All other maternity leave provisions as defined in this determination and Directive on Leave of Absence, remain applicable.

14.8 MATERNITY LEAVE

- 14.8.1 Employees (females) shall be entitled to four (4) months' maternity leave with full pay, commencing:
- 14.8.1.1 at least four weeks before the date of birth; or
- 14.8.1.2 on a date certified by attending practitioner as necessary for the employee's health or that of the unborn child.
- 14.8.2 It is preferable that an employee commences her maternity leave at two weeks prior to the expected date of birth. However, the service delivery requirements of a particular Sector may require different arrangements with regard to the

period and stage at which maternity leave, with due consideration of the employee and her unborn child's health and safety, should commence.

14.8.3 For at least six weeks after the birth, no employee may commence with normal official duty unless the attending practitioner certifies that the employee is fit to do so.

14.8.4 Maternity leave may only be interrupted if:

14.8.4.1 the baby is born prematurely and is hospitalized during maternity leave; or

14.8.4.2 the baby becomes ill and is hospitalized for a period longer than a month during the maternity leave.

14.8.5 The provisions contained in paragraph 14.8.4 are only applicable to an employee who chooses to interrupt her maternity leave in these circumstances.

14.8.6 If an employee referred to in paragraph 14.8.4.1 and 14.8.4.2 above, chose to interrupt her maternity leave and failed to return to work after six weeks mentioned in paragraph 14.8.3 above, such a period must be covered with annual leave or unpaid leave if she does not have enough annual leave available.

14.8.7 The maternity leave may be extended upon application by:

14.8.7.1 the granting of sick leave as a result of a medical complication;

14.8.7.2 the granting of up to 184 calendar days' unpaid leave; or

14.8.7.3 the granting of annual leave.

14.8.8 Employees, who during the third trimester of their pregnancy, experience a miscarriage, still birth or termination of pregnancy on medical grounds, shall be eligible for six consecutive week's maternity leave, whereafter 14.7.7.1 shall apply in the event of a medical complication.

14.8.9 Provisions in 14.7.5 above shall apply to an employee who experiences a miscarriage, stillbirth or termination of pregnancy on medical grounds after the commencement of maternity leave. The period prior to the miscarriage, stillbirth or termination of pregnancy shall be regarded as special leave with full pay.

14.9 ADOPTION LEAVE

- 14.9.1 An employee who adopts a child that is younger than two years, shall qualify for adoption leave to a maximum of 45 working days, thereafter for any extension he/she may apply to utilize annual leave or unpaid leave as referred to in paragraph 14.13.1.
- 14.9.2 If both spouses or life partners are employed in the Public Service, both partners will qualify for adoption leave provided that the combined leave taken does not exceed 45 working days. Division of the 45 working days granted is given to the discretion of both partners.

14.10 SURROGACY LEAVE

14.10.1 The Commissioning Parent:

- 14.10.1.1 An employee who is a commissioning parent in terms of the surrogate motherhood agreement confirmed by the High Court as contemplated in the Children's Act, 2005 is entitled to four consecutive calendar months paid leave commencing from the date of birth of the child.
- 14.10.1.2 The employee referred to in paragraph 14.9.1, above, must notify an employer in writing at least one (1) calendar month before a child is expected to be born as a result of a surrogate motherhood agreement, of the date on which the employee intends to commence with surrogacy leave.
- 14.10.1.3 If both commissioning parents are employed in the public service, only one (1) such parent will qualify for the surrogacy leave. This is in terms of the DPSA Directive on leave of absence in the Public Service.
- 14.10.1.4 An application for surrogacy leave shall be supported by a surrogate motherhood agreement.

14.10.2 Surrogate Mother

- 14.10.2.1 An employee who is a surrogate mother, in terms of as surrogate motherhood agreement is entitled to six (6) consecutive weeks' maternity leave;

- 14.10.2.2 An employee who is a surrogate mother may commence with normal official duty within the six weeks' period only if the attending practitioner certifies that the employee is fit to do so.
- 14.10.2.3 It is incumbent on the employee to notify the employer of the surrogate motherhood agreement and submit a copy thereof as soon as it has been confirmed by the High Court.
- 14.10.2.4 The employee's application for leave shall be supported by the surrogate motherhood agreement.

14.11 FAMILY RESPONSIBILITY LEAVE

- 14.11.1 Employees would henceforth be entitled to the following family responsibility leave benefits:
 - 14.11.1.1 Five (5) working days' family responsibility leave per annual cycle for utilisation if the employee's spouse or life partner gives birth to a child; or the employee's child, spouse or life partner is sick.
 - 14.11.1.2 Five (5) working days leave per annual leave cycle for utilisation if the employee's child, spouse or life partner or an employee's immediate family member dies.
- 14.11.2 Family Responsibility leave must be taken with due consideration of the employee's cultural responsibilities.
- 14.11.3 An application for family responsibility shall be supported by reasonable proof.
- 14.11.4 An employee who has a child(ren) with severe special needs shall be granted five (5) working days' family responsibility leave per calendar year.
 - 14.11.4.1 An application for family responsibility leave should be supported by reasonable proof to demonstrate the severe special needs of the employee's child.
- 14.11.5 Employees who have used all their family responsibility leave may, subject to the approval of the Head of Department, apply to:
 - 14.11.5.1 Use available annual leave; or
 - 14.11.5.2 Use up to 184 calendar days of unpaid leave.

- 14.11.6 Family responsibility leave may be taken for part of a day. For example, an employee who takes three hours off to attend to a family responsibility would use only three hours of their family responsibility leave entitlements.
- 14.11.7 For purposes of utilising family responsibility leave entitlements, fractions or decimals must be utilised as they are. In other words, fractions or decimals must not be rounded off.
- 14.11.8 Departments must keep manual records of the utilisation of family responsibility leave taken for part of a day. After reaching the daily number of working hours of attendance prescribed, the employee must complete and submit a leave form.
- 14.11.9 For purposes of converting fractions/decimals of family responsibility leave entitlements into working hours the formula in paragraph 13.4.

NOTE: An employee may utilise a full day or part of a day, i.e. hours which will be recorded and when they total to 8 hours be recovered as one-day family responsibility leave.

14.12 PATERNITY LEAVE

- 14.12.1 With effect from 20 May 2015 an employee shall be granted three (3) working days' paternity leave per calendar year for utilisation if the employee's spouse or life partner gives birth to a child or adopts a child not older than two (2) years.
- 14.12.2 An employee who has used all his/her paternity leave may, subject to the approval of the Head of Department, apply to:
- 14.12.2.1 use his/her part or all of 5 working days family responsibility leave provided for in paragraph 14.11.1. above; or;
 - 14.12.2.2 use available annual leave; or
 - 14.12.2.3 use up to 184 calendar days of unpaid leave.
- 14.12.3 An application for paternity leave shall be supported by reasonable proof.

14.13 SPECIAL LEAVE

The policy provides granting of paid leave for special circumstance and is now regulated by a new Determination and Directive effective from 11 March 2024. These special circumstances are as follows:

- 14.13.1 Leave for purposes of examinations/tests
- 14.13.2 Leave for research in support of a post graduate qualification
- 14.13.3 Leave for attendance of classes during working hours
- 14.13.4 Leave for training which consists of practical work
- 14.13.5 Leave for participation in amateur sport
- 14.13.6 Leave for participation in cultural events
- 14.13.7 Leave for religious holidays
- 14.13.8 Leave for natural or any other unforeseen disasters
- 14.13.9 Leave for resettlement
- 14.13.10 Leave for rehabilitation from substance abuse
- 14.13.11 Leave for instances of sexual harassment
- 14.13.12 Leave for events related to community or third-party protests
- 14.13.13 Absences from duty which are not recorded as leave

Provisions relating to these types of absences are contained in the Determination stated above.

14.14 LEAVE FOR INJURY ON DUTY

- 14.14.1 An employee who is in the process of doing official duty and meets with an accident / disease resulting in physical injury/disease shall be entitled to a special sick leave with full pay for the duration of period he/she is receiving medical treatment until he/she recovers. The employee concerned shall during the time/period off duty, on special leave provide the department with progress medical report indicating that he/she is receiving medical treatment.
- 14.14.2 When the employee recovers full, he/she shall provide a final medical report from the doctor who has been giving medical treatment to him/her. A resumption report must be completed by the supervisor when he/she has resumed duty on the date reflected on the final medical report.

14.15 UNPAID LEAVE

- 14.15.1 If an employee has utilized all her or his annual leave with full pay, the Head of Department may grant her or him unpaid leave.
- 14.15.2 Only in exceptional circumstances shall the Head of Department grant more than one hundred and eighty-four (184) calendar days of unpaid leave in a period of eighteen (18) months.
- 14.15.3 For each consecutive calendar days' leave taken without pay, the employees' annual leave entitlement shall be reduced by 1/24th.
- 14.15.4 Unpaid leave should be regarded as calendar days.
- 14.15.5 For purposes of calculating unpaid leave, the formula applies: ref to Annexure "B" – Formulas.
- 14.15.6 At least ten (10) working days must be taken as leave days during the annual leave cycle. The utilization of this leave must take the service delivery requirements of the Department into account. NOTE: Annual leave should, as far as possible, be taken as consecutive working days.
- 14.15.7 The remaining leave days, if any, must be taken no later than six (6) months after the expiry of the relevant leave cycle, where after unused leave credits shall be forfeited.
- 14.15.8 An employee must submit his/her application for annual leave in advance, unless unforeseen circumstances prevent him/her from doing so.
- 14.15.9 If confronted with unforeseen circumstances which necessitate the utilization of annual leave, the employee must personally notify his/her supervisor/manager immediately. A verbal message to the supervisor/manager by a relative, fellow employee or friend is only acceptable if the nature and /or extent of the unforeseen circumstances prevents the employee from informing the supervisor/manager personally.
- 14.15.10 An employee must submit an application for annual leave personally or through relative, fellow employee within five (5) working day of absence. If the employee fails to submit the application on time or compelling reasons why an application cannot be submitted, the supervisor/manager must immediately –

- 14.15.11 Notify the employee that if such application is not received within two (2) working days, the leave period will be regarded as unpaid leave; and
- 14.15.12 Inform the Human Resource division, should the employee default on the notification referred to in 14.1.8.1, above,
- 14.15.13 The relevant authority shall approve such absence as unpaid leave. The employees' supervisor/manager/ Head of Department and/ or his/her delegate must within two working days from receipt of the leave application form recommend/not recommend and or/approve/disapprove this leave application and submit to the relevant Human Resource division in the department.
- 14.15.14 For each 15 consecutive calendar days' leave taken without pay, the employees' annual leave entitlement shall be reduced by 1/24th. The calculation is already built into the PERSAL system.

15. LEAVE FOR INTERNS:

Employees appointed as Interns in the department, their leave of absence is regulated by the Determination on Internship. Upon completion of the Internship an intern with unused leave credits will be entitled to encash it and be paid leave gratuity.

16. APPROVAL OF LEAVE

- 16.1 Approval of leave must be done as per the levels of Seniority and Supervision. However, all levels below Assistant Director must be approved by the Assistant Director.
- 16.2 Employees who report directly to Head of Department will have their leave applications recommended and approved by Head of Department
- 16.3 In terms of the e-leave system, approval is structured according to pay points.
- 16.4 In the absence of the supervisor, e-leave system makes provision for the delegation of approval.

17. ABSENCE WITHOUT LEAVE (AWOL)

- 17.1 Any absence without prior leave application, that is, without the staff member informing his or her line manager within a reasonable period, or without a medical certificate, will be deemed as unauthorised absence.
- 17.2 Absence without leave (AWOL) must be reported to the Human Resources department by the relevant line manager after two (2) days of the staff not being present.
- 17.3 The rule of no work no pay shall apply in cases of absences from work without authority as provided for in the Labour Relations Act 1995, that , the employer will withhold pay for a staff member who is absent without leave.
- 17.4 Once reported, unauthorized absence could lead to disciplinary action and may result in dismissal.
- 17.5 Unauthorised leave that continues for a period exceeding one calendar month shall be deemed as abscondment. Abscondment is regarded as a misconduct and the department's policy on abscondment gives a guideline on processes to follow in an instance where an employee has absconded.

18. ROLES AND RESPONSIBILITIES OF STAKEHOLDERS

18.1 Head of Department:

- 18.1.1 Shall encourage an employee to fully utilize his/her annual leave entitlement in the leave cycle;
- 18.1.2 Ensure that all leave taken by an employee is recorded accurately and in full;
- 18.1.3 Ensure that an employee does not abuse sick leave.
- 18.1.4 Leave forms are submitted for all absences and all outstanding leave forms are followed up;
- 18.1.5 All leave taken is captured on daily basis and there are no backlogs in respect of each annual cycle;
- 18.1.6 Individual utilization of leave is communicated to employees at the end of each annual leave cycle in respect of annual leave taken.

18.1.7 Make a final decision on any leave management dispute.

18.2 Line Managers

- 18.2.1 Line managers must inform the Directorate: Human Resource Administration when they encounter challenges in the process of implementing the policy.
- 18.2.2 Line Managers must ensure timeous approval and submission of leave applications to HRA for capturing and approval.

18.3 Human Resource Administration

- 18.3.1 Must ensure that the policy is understood by all employees using the re-orientation programme.
- 18.3.2 Ensure that Departmental employees may familiarize themselves with the contents of the policy by reading it and making use of the policy.
- 18.3.3 Must encourage Line Managers and supervisors to keep and monitor leave registers and attendance registers.
- 18.3.4 Leave forms are submitted for all absences and all outstanding leave forms are followed up.
- 18.3.5 Ensure that Managers keep register of leave taken and ensure that previous leave taken is reflected on the attached printout, before recommending and approving next leave application. i.e. (Z1), leave form must be accompanied by a PERSAL printout reflecting the leave credits of an employee.
- 18.3.6 Emergency vacation leave taken without filling of the prescribed form must be recorded and the employee must complete the application for leave form without being reminded, with written explanation for late application for leave, to avoid audit query.
- 18.3.7 All leave taken is captured on a daily basis and that there are no backlogs in respect of each annual leave cycle.
- 18.3.8 Employees are timeously informed of their annual leave utilization and available credit at the end of each annual leave cycle in respect of vacation, sick and family leave (If Pay Slip info is incorrect)

- 18.3.9 Employees may take leave before the end of the year or must have taken not less than ten (10) days' leave, before December 31, of each year.
- 18.3.10 Must do leave reconciliation using Attendance Register, PERSAL and Leave File
- 18.3.11 Must train employees on how to use or assist employees in the utilization of E Leave system.

19. ACCEPTANCE OF MEDICAL CERTIFICATES

- 19.1 For the purposes of normal sick leave only medical certificates issued and signed by the practitioners and persons who are certified to diagnose and treat patients and who are registered with the following professionals' councils established by an Act of Parliament shall be accepted:

- 19.5.1 The Health Professionals Council of South Africa.

- 19.5.2 The Allied Health Professions Council of South Africa.

- 19.5.3 The South African Nursing Council.

- 19.2 The registration details of service providers could be confirmed with the above-mentioned council.

- 19.3 A medical certificate must contain the following information:

- 19.3.1 The name, address and qualifications of the practitioners or person.

- 19.3.2 The name of the patient.

- 19.3.3 The employment number of the patient (if applicable).

- 19.3.4 The date and time of examination.

- 19.3.5 Whether the practitioner is issuing the certificate as a result of personal observations during an examination or as the result of information received from the patient and which is based upon acceptable medical grounds.

- 19.3.6 If the patient has given informed consent for it to be disclosed, a description of the nature and extent of the illness or injury in layperson's language.

- 19.3.7 Whether the patient is totally indisposed for duty or whether the patient will be able to perform less strenuous duties in the work situation.
 - 19.3.8 The exact period of recommended sick leave.
 - 19.3.9 The date of issue of the certificates of illness.
 - 19.3.10 A clear indication of the identity of the practitioner or person who issued the certificate, for example, the initial and surname in block letters, and the registration or practice number of the practitioner who issued the certificate.
- 19.4 If the practitioner or person uses pre-printed medical certificates, wording not applicable to the patient must be deleted.
- 19.5 The Head of Department must accept medical certificates that do not describe the nature and extent of an employee's illness for sick leave taken during the normal sick leave cycle. i.e working days in a 3-year cycle. The employer may request from the employee a medical certificate describing the nature and extent of the illness before granting sick leave, if the employee abuses the system during the normal sick leave period of 36 working days (e.g a pattern of regular sick leave on Mondays or Fridays). If the employee fails to submit the required medical certificate, the Head of Department must notify the employee that if the prescribed medical certificate is not received within 2 working days, the sick leave period will be either regarded as unpaid leave or annual leave. If the employee fails to submit the medical certificate on time, the relevant absence must be covered by annual leave (with the employee's consent) and/or unpaid leave if insufficient annual leave credits are available and if the employee failed to notify the Head of Department of his/her choice. Failure by the employee to submit his/her medical certificate within the stated period must be viewed in a serious light and disciplinary steps against the employee should be taken.
- 19.6 For purposes of temporary incapacity leave the employer accepts medical certificates issued and signed by practitioners registered with the Health Professional Council of South Africa and who are legally certified to diagnose and treat patients. Such medical certificates must describe that the illness or injury is temporary and, if the employee has given his/her informed consent, the nature and

extent of the employee's illness or injury. The provisions contained in paragraph 18.3 above, applies mutalis mutandis in respect of such medical certificates.

- 19.7 The employer must, in accordance with the constitutional rights to privacy, and the Code of Conduct in the Public Service Regulations, treat, at all times, any information regarding the medical condition of an employee with the necessary respect and confidentiality. Such information may therefore not be disclosed to any other person(s) not authorized to receive such information. If an employee discloses such confidential information of one employee to any other unauthorized person, it must be viewed in a serious light and disciplinary steps against the transgressing employee should be taken.

20. NOMINATION OF BENEFICIARIES AND LEAVE PAYOUTS

- 20.1 Employees may, if they so desire, designate one or more beneficiaries to whom their leave payout may be paid in the event of their death. The Department should actively promote the nomination of beneficiaries in order to avoid any hardship of such beneficiaries.
- 20.2 If an employee dies and has not nominated a beneficiary, the leave payout may be paid:
- 20.2.1 in full to the spouse/life partner of that employee;
 - 20.2.2 if there is no spouse/life partner, in equal shares for the benefit of minor and other children (including legally adopted children) of the deceased, who at the time of his/her death, were fully dependent on the employee; or
 - 20.2.3 If there are no children, to the employee's estate.

21. COMMUNICATION/ EDUCATION OF THE POLICY

The Policy must be communicated throughout the department to all its employees using electronic workshops (Teams), intranets and physical workshops.

22. MONITORING AND EVALUATION

The Human Resource Administration must vigorously monitor the implementation of this policy and will submit quarterly reports to the Chief Director: Human Resource Management and Development for submission to the Head of Department.

23. DISPUTE RESOLUTION MECHANISM

In the event of disputes arising out of this policy, such disputes shall be dealt with in terms of the grievance procedure and Labor Legislations applicable in the Public Service.

24. APPROVAL OF THE POLICY

The policy shall be recommended by the Head of Department and must be approved by the Member of Executive Council (MEC) as per the updated departmental Delegations and the policy will become official on the date it is signed by the Executing Authority (MEC Cooperative Governance and Traditional Affairs).

25. REVIEW OF THE POLICY

This policy will be reviewed once in five (5) years and also when there are material changes in the legislative framework to ensure their continued relevance and effectiveness, and when there are material changes in the enabling legislations.

26. VERSION CONTROL AND CHANGE HISTORY

Version Control	Date Effective	Approved By	Amendment
2014	24/03/2014	Mlibo Qoboshiyane (MEC)	New changes as per Resolution 1 of 2012: As of 31 July 2012 - Employees with 10 or more years of service are entitled to 30 working days annual leave per annum.
			A pregnant employee will be entitled to 8 working days' pre-natal leave per pregnancy, allowing the employee to attend medical examinations by a medical practitioner or

		midwife and tests related to the pregnancy. An application for pre-natal leave must have as an attachment reasonable proof that the employee attended a doctor's appointment or went for tests related to the pregnancy. NOTE: An employee may utilise a full day or part of a day, i.e. hours which will be recorded and when they total to 8 hours be recovered as one-day pre-natal leave. Absences related to medical complications during pregnancy will be covered by sick leave.
		Five working days' family responsibility leave per annual cycle for utilisation if the employees spouse or life partner gives birth to a child or if employees child, spouse or life partner is sick; please note: Medical certificate must indicate that the parent has accompanied the child or spouse to the doctor and should not be just a medical certificate for your child or spouse and parents are excluded; and Five working days if the employee's child, spouse or life partner dies or an employee's immediate family member dies. Where surnames are not the same, an affidavit is required explaining the relationship and dependency. Immediate Family member for the above mentioned bullet refers to: employee's parent, adoptive parent, parents-in-law, sister and brother-in-law, grandparent, child (employee's son or daughter, or son- or daughter-in-law), stepchild or sibling.

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			NOTE: An employee may utilise a full day or part of a day, i.e. hours which will be recorded and when they total to 8 hours be recovered as one day family responsibility leave.
			When circular is issued for the December festive season closure of offices, vacation leave for the period will automatically be captured on Persal even where a leave application form has not yet been submitted. The circular being the source document. Remove paragraph on Leave to appear as a witness as it is catered for on Special Leave Policy.
			Where an employee has been instructed (subpoenaed) by a court of law to be a witness in a case not related to him/her. A letter from the Magistrate office is not acceptable.
2019		Honorable X. E Nqatha (MEC)	Paragraph 3 Definitions page 4-5 Paragraph 9. Annual leave accrued prior to 1 July 2000 page 6 Paragraph 10. Annual leave entitlement page 6. Paragraph 11. Annual leave pay-outs 7. Paragraph 12. The granting of annual leave on a pro rata basis page 7. Paragraph 13. Types of leave 8-10. Paragraph 13.1 annual leave page 8-10. Paragraph 13.3 normal sick leave page 10-12. Paragraph 13.4. temporary incapacity leave

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			page 14-17. Paragraph 13.5 Permanent incapacity leave 17-18. Paragraph 13.6. Leave for occupational injuries and diseases page 19-20. Paragraph 13.7 Pre-natal leave page 20. Paragraph 13.8. Maternity leave 20-21. Paragraph 13.10. Surrogacy leave 22. Paragraph 13.11. Family responsibility leave 22-23. Paragraph 13.14. Leave for office bearers or shop stewards of recognised employees organisations page 25. Paragraph 15. Roles and responsibilities of stakeholders' page 26-27. Paragraph 16. Acceptance of medical certificates 27-28. Paragraph 17. Nomination of beneficiaries and payouts page 28-29.
2026		MEC Williams	Z.A. Purpose Definitions Legislative Frameworks Annual Leave accrued prior to 01 July 2000 Annual Leave entitlement Annual Leave payout The Granting of Annual Leave on a pro rata basis Types of Leave-Annual Leave Compulsory Leave Normal Sick Leave

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			Temporal Incapacity Leave Special Leave Leave for interns Approval of Leave
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			Roles and Responsibilities- Line Manager Human Resource Administration Communication / Education of the Policy Monitoring and Evaluation Review of the Policy SPECIAL LEAVE The Special Leave provides granting of paid leave for special circumstance and is now regulated by a new Determination and Directive effective from 11 March 2024. All instances of special leave are recorded in this policy. LEAVE FOR INTERNS: Employees appointed as Interns in the department, their leave of absence is regulated by the Determination on Internship. Upon completion of Internship an intern with an unused leave credit will be entitled to encash it and be paid leave gratuity. APPROVAL OF LEAVE 14.5. Approval of leave must be done as per the levels of Seniority and Supervision. However, all levels below Assistant Directors must be approved by Assistant Director. 14.6. In terms of the e-leave system, approval is structured according to pay points.
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			14.7. In the absence of the supervisor, e-leave system makes provision for the delegation of approval.
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Executive Authority
Initials Z.A.W

HOD
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