

HRM

# Limpopo

PROVINCIAL GOVERNMENT

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# Special leave policy

REF: S3/2/1/3  
ENQ: MABILA J

TO: ALL HEADS OF BRANCHES AND DIRECTORATES  
ALL CHIEF EXECUTIVE OFFICERS  
ALL HEALTH AND SOCIAL DEVELOPMENT DISTRICT MANAGERS  
ALL HEADS OF VERTICAL PROGRAMMES

DEPARTMENTAL CIRCULAR NO. 105 OF 2005.

## IMPLEMENTATION OF THE AMMENDMENTS TO THE SPECIAL LEAVE POLICY

1. I am attaching hereto Director General Circular No. 30 of 2005 which clarifies study leave, examination and attendance of classes as per amendment special leave policy in terms of Limpopo Province PSCBC Resolution No. 01 bf 2005.
2. The effective date of implementation of the amended provisions is 9 March 2005 and where days in excess of the agreed two (2) were granted on or after 9 March 2005 adjustments should be effected through arrangements to cover excess days by converting them to vacation leave, and where affected employees have no vacation leave days to their credit during the current leave cycle, by implementing the provisions of Clause 8 (8.1-8.4) of the Directive on Leave Absence in the Public Service which provides for the handling of annual leave with full pay granted in excess.
4. The management of the implementation of the amended provisions retrospectively to 9 March 2005 should be completed by 29 July 2005 and progress report furnished by not later than 5 August 2005 in the following format:

Name of employee	Persal No.	Number of papers/ Courses written	Number of study Leave granted (inclusive of sitting for exams)	Number of Excess days	How employee chose to cover the excess

5. Your cooperation will be greatly appreciated and is thanked in advance.

SENIOR MANAGER : HUMAN RESOURCE MANAGEMENT

DATE: 18/7/2005

DEPARTMENT OF HEALTH & WELFARE



RESTRICTED  
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Ref. No. : 9\2\2\2\1-2  
 Enq. : ADV. M.T Chidi  
 Date : 31 May 2005

*M. Mabasa*  
*135*

To: All Heads of Departments  
 All Heads of Human Resources components

**DIRECTOR-GENERAL CIRCULAR NO. 44 OF 2005**


**SUBJECT : FAILURE TO IMPLEMENT THE AMENDED  
 SPECIAL LEAVE POLICY (RESOLUTION  
 NO.1 OF 2005)**

1. We refer to the above matter.
2. It has come to our attention that there are still some Departments that do not implement the Amended Special Leave Policy that came into effect on 9 March 2005. We would like to urge Departments to implement the agreement of the Parties as contained in the Policy retrospectively from 9 March 2005.
3. The Labour Relations in the Office of the Premier ensured the distribution of the Policy to Heads of Departments in hard copy and soft copy forms. So we are satisfied that Heads of Departments received the Policy.

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4. For ease of reference please receive, attached to this Memorandum the Policy and the accompanying Memorandum, again.

  
\_\_\_\_\_  
DIRECTOR-GENERAL

1/6/2005  
DATE



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Ref: 9\2/2\2\21-1

Enq: Adv. M.T Chidi

14 April 2005

To: All Heads of Departments  
All Heads of Human Resources Components  
All Staff

**DIRECTOR-GENERAL CIRCULAR NO. 30 OF 2005.**

**AMENDMENT OF THE SPECIAL LEAVE POLICY  
(RESOLUTION 3 OF 2002).**

1. The Special Leave policy has been amended with effect from 9 March 2005. Although the amendment affects various types of leave, emphasis is put on the following:

**Study leave and examination**

- 1.1 One day special leave with full pay shall be granted to an employee for preparation of an examination per course or subject and one day shall be granted to an employee to sit for the examination [i.e. two days are granted to an employee to prepare and sit for an examination per course or subject];
- 1.2 Five days special leave with full pay shall be granted to an employee who attends classes, do course work, do thesis or

dissertation and writes tests as a package that substitutes examinations. (limited to two sessions per annum)

1.3 The amended Resolution is hereto attached for ease of reference.

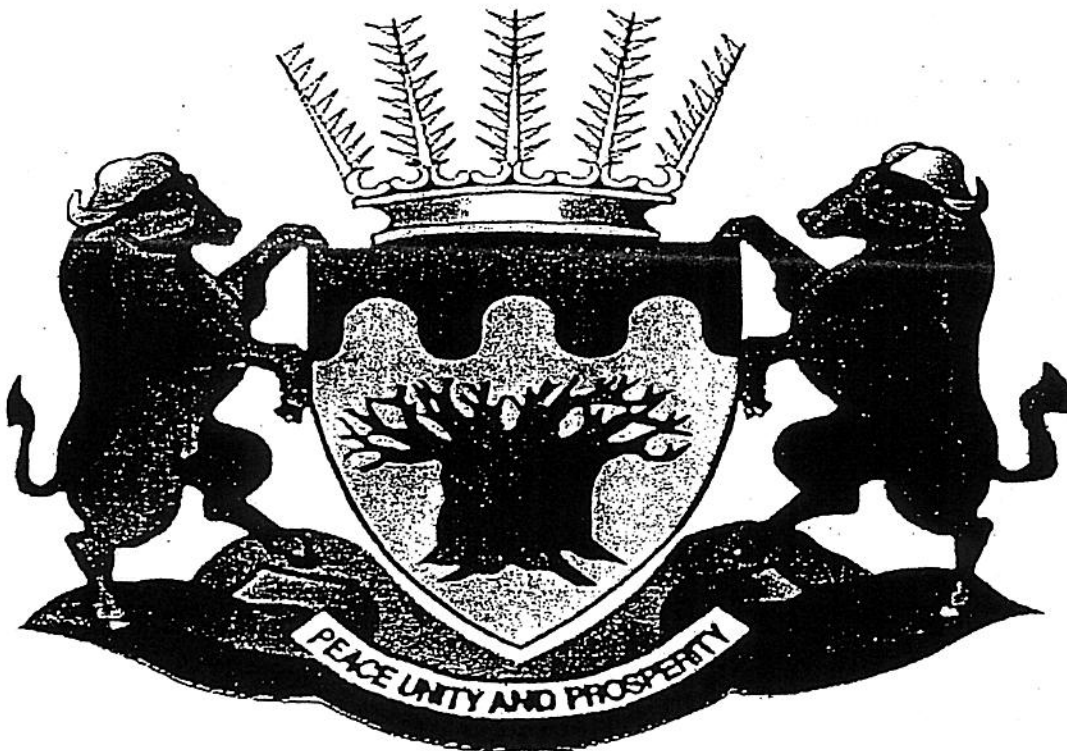
  
\_\_\_\_\_  
^ ~~DIRECTOR-GENERAL~~

15/4/05  
DATE

# LIMPOPO PROVINCE PSCBC

RESOLUTION No. 01 OF 2005

AMENDMENT TO RESOLUTION 3 OF 2002  
PROVINCIAL SPECIAL LEAVE POLICY



## 1. SCOPE

This agreement applies to the employer and the employees who:

- (a) is the Limpopo Provincial Government
- (b) are employed by the Limpopo Provincial Government under the Public Service Act of 1994, as amended and
- (c) fall within the registered scope of the Limpopo Provincial Bargaining Council

## 2. PURPOSE

2.1 The purpose of this agreement is to amend Resolution 3 of 2002(Special Leave Policy) by:

- (a) regulating an official's release or absence from duty for particular purposes, namely special leave,
- (b) providing the executing authority with a policy through which the executing authority shall authorise special leave with full pay,
- (c) indicating those responsibilities other than work for which the employer shall not require an employee to utilise leave;
- (d) protecting the interests of people with disabilities; and
- (e) providing for leave for occupational injuries and diseases.

## 3. PRINCIPLES

3.1 Special leave provisions will be implemented in a fair and equitable manner.

#### 4. SPECIAL LEAVE

The executing authority or his or her duly authorized representative shall authorize special leave with full pay for the following purposes:

##### 4.1 STUDY LEAVE

4.1.1 Special leave with full pay shall be granted to an employee for preparation towards his or her examinations whether it relates to his or her immediate field of work or not. One (1) day special leave with full pay shall be granted to an employee in connection with his or her studies or examination per course or subject.

4.1.2 Employees who attend or do course work (attend classes), do thesis or dissertation work (do collection of data and presentation) and write tests as a package that substitutes examination (block attendance) may be granted five (5) days study leave with full pay for either his or her attendance, collection of data, presentation and writing in respect of each session (limited to two sessions per annum).

#### 5. EXAMINATION

5.1 Special leave with full pay shall be granted to an employee, for the period he or she sits for examination(s) which in the opinion of the department has the object of improving the skills of the employee concerned for a career in the Public Service, irrespective of whether it relates to his or her immediate field of work or not.

5.2 One(1) day special leave shall be granted to an employee to prepare per examination paper as referred to above. Employees who must sit for examination on a Saturday or a day of rest shall be granted one working day per course or paper as a special leave in order to enable them to prepare for the examination.



- 3 Examinations referred to may include ordinary school subjects up to matric, as well as examinations in respect of which a certificate is not necessarily issued to successful candidates.
- 5.4 Special leave will only be extended once to an employee who has to repeat a course or be re-examined. An employee may however be granted an additional extension if the employee has failed to complete an examination or course due to circumstances that are beyond his or her control. He or she may be given an opportunity to complete the course or examination. Special consideration will also be given to employees who form part of the previously disadvantaged or designated groups.
- 5.5 Special leave shall only be granted for *bona fide* final examinations and not for class tests, term papers, etc. For the purpose of this policy, final examinations include all examinations that will lead to the conclusion of a subject (including semester courses).
- 5.6 Proof of examination must be submitted together with the special leave application.
- 5.7 Amendments to examination must be reflected on an amended special leave application.

## 6 SABBATICAL LEAVE

- 6.1 Special leave with full pay may be granted to an employee as is required and within the needs of a department.

## 7 STUDY LEAVE FOR SPECIAL CIRCUMSTANCES

- 7.1 Where necessary, special leave with full pay, may be granted to an employee under circumstances mentioned hereafter, on condition that the department is satisfied that the studies undertaken is in the interest of the department:

7.1.1 full time study at a recognised educational institution within the Republic or abroad: Study leave in this regard shall be granted only for the prescribed duration of the particular course, diploma or degree. Employees who fail to complete their studies within the prescribed period for the curriculum shall not be granted an additional period of study leave. Unpaid leave may be granted to employees, who apply to complete their studies;

7.1.2 practical work required as a prerequisite for registration in a particular profession; or

7.1.3 attendance of a self-enrichment course (e.g. flower arranging, interior decorating, sewing, etc) which is in the interest of the department.

## 8 ATTENDANCE OF CLASSES DURING OFFICE HOURS

8.1 An employee who studies part-time or by means of correspondence at a university or other recognised educational institutions and who as a result of his or her studies is required to be absent from his or her place of work, will receive one day special leave with full pay for every full eight hours, he or she is so released from duty.

## 9 PARTICIPATION IN SPORTS OR CULTURAL ACTIVITIES

9.1 Special leave with full pay to a maximum of 10 working days per annum, may be granted to an employee when he or she is selected by an acknowledged sports association to represent a, provincial, regional or local area as a member of an organised sports group whether as a competitor, official, judge, coach, manager or referee in a sports tour or organised sports event within or outside South Africa.

9.2 Special leave with full pay may be granted to an official when he or she is selected by an acknowledged sports association to represent South Africa as a member of an organised sports group, whether as a

competitor, official, judge, coach, manager or referee in a sports tour or organised sports event within or outside South Africa. Written proof of such nomination or selection must be provided.

9.3 Special leave, with full pay, may be granted to an employee when he or she:

9.3.1 accompanies a foreign national team visiting South Africa, as a representative of the South African Sports Association,

9.3.2 takes part in cultural activities, as a member of an organised cultural group, in a cultural tour within and outside South Africa as a competitor, coach, manager or official, assistant coach and manager to represent, South Africa, the Province or region.

## 10 RESETTLEMENT

10.1 Special leave with full pay will be granted to an employee who is transferred at state expense. Two (2) days special leave will be granted to employees who are transferred within to the province and five (5) days if transferred outside the province, in order for him / her to:

(a) arrange accommodation,

(b) supervise the packing or loading and unpacking or unloading of personal belongings,

(c) arrange school for children,

10.2 Special leave in this instance will only be granted if the employee and his or her household are required to resettle.

## 11A TRAINING OF DISABLED EMPLOYEES

The employer shall -

- (a) afford disabled employees the opportunity to undergo training to manage the employees' disability;
- (b) treat employees who need training to be able to utilize equipment that would enable the employees access to the workplace or to perform the job, the same as other official training provided to equip employees with the knowledge and skills to do the employees' jobs; and
- (c) offer the training referred to in (b) while the employees are on official duty.

## 11B LEAVE FOR OCCUPATIONAL INJURIES AND DISEASES

The employer shall-

- (a) for the duration of the period the employees are unable to work, grant occupational injuries and diseases leave to employees who as a result of the employees' work, suffer occupational injuries and diseases;
- (b) grant an employee who suffers a work-related injury or disease as a result of an accident or negligence involving a third Party provided that the employee:

- (i) brings a claim for compensation against the third party ;
- (ii) undertakes to use compensation the employee received in terms of the Compensation for Occupational Injuries and Diseases Act, 1993( Act No. 85 of 1993) to recompense as far as possible for the cost arising from the accident; and
- (iii) take reasonable steps to assist an employee to claim compensation according to subparagraph (b)."

## 11 REHABILITATION

11.1 Any special leave provided in this section will be over and above any leave taken as sick or disability leave.

### 11.2 Substance abuse

11.2.1 Special leave with full pay to a maximum of 60 working days may be granted to an employee to enable him or her to undergo treatment for substance abuse at an approved institution or facility. Special leave will be limited to one (1) rehabilitation session. A certificate and a comprehensive report compiled by the institution or facility concerned must be submitted to the Department or Employee Assistance Program (EAP) Office on completion of the treatment.

### 1.3 Trauma

11.3.1 An employee may be granted special leave to a maximum of five (5) working days with full pay annually to undergo trauma debriefing and counseling sessions.

### 11.4 Mental disorders

11.4.1 An employee may be granted special leave for a maximum of twenty-one (21) working days for the purpose of psychological or psychiatric treatment for a mental disorder at an approved institution. At the completion of the special leave provided for this purpose a report pertaining to the process of the relevant treatment will be submitted to the Department or the Employee Assistance Program Office. In case the psychiatrist recommends more than 21 days, disability leave rule will apply.

## 12 MILITARY SERVICE

12.1 Special leave may be granted to an employee when he or she is required to perform voluntary military service.

## 13 MISCELLANEOUS

13.1 Special leave with full pay may be granted to an employee in the following circumstances:

- (a) where an employee is absent from work as a result of segregation or isolation on medical instruction. The granting of special leave shall be subject to the submission of a certificate by a registered medical practitioner indicating the period and the reason for segregation or isolation,
- (b) in the case where a physically disabled employee is required to attend an orientation or training course relevant to the disability,

- (c) where the area in which the employee works or resides is struck by a natural disaster or other disaster and the department is satisfied that it was impossible for the employee concerned at the time to continue with his or her official duties;

13.2 Special leave may be granted to an employee due to any other circumstances not mentioned above provided that the employer believes that it is in the best interest of the State and the Provincial administration.

#### 14. EVENTS FOR WHICH EMPLOYEES WILL NOT BE REQUIRED TO UTILIZE LEAVE

14.1, Employees will not be required to submit leave forms or utilise special leave in the following instances:

- (a) Study tours initiated by the department or the Public Service,
- (b) Absence for purposes of registering for studies,
- (c) When an employee is "subpoenaed" as a witness in any legal proceedings, disciplinary enquiry, commission appointed by the State or any other relevant authority empowered to do so.
- (d) When an employee has to appear before a court of law arising from his or her official duties,
- (e) Where an employee attends a course, workshop, lecture etc. presented by a State department or private institution for which he or she has been given permission to attend by his or her supervisor or manager,
- (f) When an employee assists or represents an employee during a disciplinary enquiry or in a dispute proceeding or an investigation into a complaint or grievance,

(g) When he or she is an office bearer, shop steward or member of a trade union involved in labour relations matters deemed to be in the interest of the employer such as, dissemination of information, briefing or training,

(h) When he or she is absent from duty -

- as the aggrieved person during an investigation into his or her complaint or grievance,
- as the person being charged in a disciplinary enquiry, or
- as an applicant in a conciliation board, arbitration or Labour Court.

(i) when appointed by any department to render services, and

(j) attendance of an interview for a post in any department within the Public Service.

## 15. EVENTS FOR WHICH SPECIAL LEAVE WILL NOT BE GRANTED

15.1 Attendance of self-enrichment courses that are not in the interest of the department.

15.2 Repeating of courses (sitting for examination in respect of the same course or paper for a third or fourth time). Except in circumstances as set out in 4.1.4 of this agreement.

## 16 DATE OF IMPLEMENTATION

16.1 The date of implementation will be the date of signing.

## 17 DISPUTE

17.1 In the event of any dispute as to the interpretation or application of this agreement either party may utilise the dispute resolution procedures of the Public Service Co-ordinating Bargaining Council.



17.2 This agreement shall come into effect on the date of signing of the agreement.