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Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

POLICY AND PROCEDURE ON SPECIAL LEAVE

2010

POLICY HISTORY

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2. ACRONYMS

CRM	Corporate Resource Management
DBC	Departmental Bargaining Chamber
DPISA	Department of Public Service and Administration
HRA	Human Resource Administration
PSCBC	Public Service Coordinating Bargaining Council
DG	Director-General
GPSSBC	General Public Service Sector Bargaining Council
LRA	Labour Relations Act, 1995 (Act 55 of 1995)
MPSA	Minister of Public Service and Administration
PSA	Public Service Act, 1994 (Proclamation 103 of 1994)
SMS	Senior Management Service

3. GLOSSARY OF TERMS

Annually	Once in a twelve month period
Biennially	Once in a two year period
Contract Employee	A person appointed for a fixed term but excluding a casual employee or an employee to whom a retirement age applies.
Employee	This refers to a person appointed in terms of the Public Service Act, 1994.
Head of the office	The Senior Manager (salary level 13 and higher) of a specific component
Immediately	Without delay or hesitation; with no time intervening
Intern appointment	A person employed to gain experience in the practical field he/she is currently studying and has the same leave benefits as a casual appointment as determined by the Determination on Interns and Learners issued by the MPSA.
Subject	In the leave policy this will mean any examination/test/module

4. PURPOSE

To regulate an employee's absence from duty by means of granting **special** leave of absence within the framework, provisions and measures as set out below.

5. SCOPE OF APPLICATION

An employee shall receive leave of absence from work in terms of provisions of this policy if he or she is employed either on a full time or temporary basis in terms of the Public Service Act, 1994, (Proclamation No. 103 of 1994), herein referred to as the Public Service Act, 1994, as amended.

6. SOURCES OF AUTHORITY

- 6.1 Public Service Act, 1994
- 6.2 Public Service Regulations, 2001, as amended
- 6.3 Public Service Co-Ordinating Bargaining Council Resolution 7 of 2000;
- 6.4 Basic Conditions of Employment Act, 1997 (Act 75 of 1997)
- 6.5 **Determination** on Leave of Absence in the Public Service issued by the Minister for Public Service and Administration.

7. CLASSIFICATION FOR GRANTING SPECIAL LEAVE

- 7.1 Examination
- 7.2 Study
- 7.3 Sport
- 7.4 Resettlement
- 7.5 Rehabilitation
- 7.6 Natural Disaster
- 7.7 Life Endangered
- 7.8 Compliance with Legislation
- 7.9 Interviews within the Public Service
- 7.10 Trips outside the RSA borders

8.1 EXAMINATION

- 8.1.1 One working day special leave with full pay may be granted to an employee for each day on which he/she sits for a final examination which in the opinion of the department has the objective to better equip the person concerned for a career in the Public Service.
- 8.1.2 Examination referred to above may include ordinary School subjects up to Grade 12.
- 8.1.3 This provision may be applied only once in respect of re-examination or an end of the year examination pertaining to a study course (or part of a course) which an employee failed and which he/she has to repeat.
- 8.1.4 Special leave may only be granted for bona fide final examinations. For the purpose of this policy, final examinations include all examinations that lead to the conclusion of a subject (including semester courses).
- 8.1.5 The examination timetable must be attached to the special leave application. A study leave undertaking shall be completed annually by all affected employees prior to making use of study leave (Annexure A).

8.2 STUDY

- 8.2.1 Three working days special leave with full pay per subject may be granted to an employee for preparation in connection with his/her final examinations. Prior notification of absence related to study leave /exam will assist Managers with planning.
- 8.2.2 If the special leave (granted in par 8.1.1) granted precedes and succeeds a day of rest, such day(s) of rest must be disregarded when calculating the number of special leave days to be granted to the employee.
- 8.2.3 An examination timetable must accompany the application for leave.
- 8.2.4 Where necessary, a maximum of 22 working days special leave per annum with full pay, may be granted to an employee under circumstances mentioned below, on condition that the Department is satisfied that the studies undertaken are in the interest of the Public Service:
- 8.2.4.1 Research work and/or a thesis for a postgraduate qualification,
8.2.4.2 Attendance of classes,
- 8.2.5 Employees may also exercise the option of taking time-off for events described in paragraph 8.2.4 above. For every eight hours taken off the employee must complete a leave form and one day's special leave shall be taken for this purpose.
- 8.2.6 This provision may only be applied once only in cases where the study course was failed and had to be repeated.

8.2.7 STUDY TOUR (NATIONALL OR INTERNATIONALLY)

Requests for Special Leave with full pay to an employee who initiated a study tour himself/herself shall be considered on merit.

8.3 SPORT

- 8.3.1 Special leave with full pay to a maximum of 10 working days per annum, may be granted to an official when he/she is selected by an acknowledged sport association to represent the Republic or a Province as a member of a recognised sporting group, whether as a competitor, official, judge, coach, manager or referee in a sport tour/organised sporting meeting within or outside the Republic and the territory.
- 8.3.2 Documentary proof (a written letter from relevant sporting group/ association must be submitted).

8.4 RESETTLEMENT

- 8.4.1 Special leave with full pay may be granted to an employee who is required to move from his/her previous place of work to Pretoria at state expense. A maximum of two day's special leave with full pay shall be granted to an employee if he/she is transferred to Pretoria in order for him/her to:-
- 8.4.1.1 arrange accommodation;
8.4.1.2 supervise the packing/loading and unpacking /unloading of personal effects;
8.4.1.3 arranges an educational institution for dependent children;
8.4.1.4 connect/disconnect water/lights
- 8.4.2 Special leave for this purpose must be taken within four months of his/her transfer and relocation to Pretoria.

8.4.3 This provision is also applicable to employees who are transferred and appointed in terms of section 15(1) of the PSA.

8.5 REHABILITATION FOR SUBSTANCE ABUSE

8.5.1 Special leave with full pay to a maximum of 26 working days may be granted to an employee when he/she attends a rehabilitation clinic/institution for drug and other chemicals or alcohol (substance) abuse for the first time only.

8.5.2 The period shall be specified by the rehabilitation institution and is subject to the approval of the Director: People Management and Development on recommendation and report of the Section: Internal Health and Wellness in consultation with the relevant employee's Supervisor/Manager. The admittance documents at the clinic/institution or a letter signed by a registered medical practitioner indicating the period of treatment will be sufficient proof.

8.5.3 If the rehabilitation period exceeds 26 working days, the employee may consider utilizing her/his own annual leave, if available or unpaid leave in the event where no annual leave credits are available.

9. NATURAL DISASTER

If an area in which an employee is working is struck by a natural disaster and the department is satisfied that it was impossible for the employee concerned at that time to continue with his/her official duties, special leave with full pay may be granted to such employee.

9.1 LIFE ENDANGERED

Special leave with full pay may be granted to an employee at the discretion of the head of department, in instances where situations that may pose dangerous to life, in the area in which the employee is working and prevents the employee from carrying out her/his duty. An affidavit explaining the specific circumstances must be submitted with the application form.

9.2 COMPLIANCE WITH LEGISLATION

9.2.1 An employee may be granted special leave to a maximum of three working days with full pay annually i.e. for opening a SAPS case, re-apply for an ID document, fire-arm/driver's license or re-apply for bank-cards. An affidavit with a SAPS stamp confirming the above-mentioned incident must be attached to the application.

9.2.2 For purposes of paragraph 9.2.1 the above circumstances shall not be limited only to cases of hijacking, rape, robbery, missing next of kin, single parents applying for child support from a maintenance court must provide a letter from the court with a case no. Cases will be referred to the Director: Human Resource Administration

10. INTERVIEWS FOR JOBS IN THE PUBLIC SERVICE

For job interviews within the Public Service special leave may be granted to an employee to a maximum of five working days with full pay annually to attend interview. A formal letter from the relevant Department is required as evidence to qualify for such leave. Interviews outside the Public Service shall not be considered for special leave purposes.

11. TRIPS OUTSIDE RSA BORDERS

11.1 Trips for purposes of official duties should be supported by a trip authority as documentary proof.

11.2 For purposes of travelling to their destination abroad, employees may utilise one day special leave before a trip to finalize arrangements.

11.3 Employees returning to the workplace may utilise one day special leave after arrival from trip abroad.

11.4 Employees working abroad for more than a month may utilise a further two days special leave per month.

12. EVENTS FOR WHICH THE DEPARTMENT WILL NOT GRANT SPECIAL LEAVE:

12.1 Repeating of courses/subjects more than once.

12.2 Training addressed in Performance Development Plan as it is regarded as official duty.

13. REVIEW OF POLICY

13.1 The Special Leave Policy shall be reviewed bi-ennially (once in 2 years) or if a need arises.

13.2 The Directorate: HRA shall be responsible for monitoring and evaluation of this policy.

14. DEVIATION

Requests for deviation from the Policy must be submitted to the Chief Director: Corporate Services with motivation.

15. EFFECTIVE DATE

This Policy shall become effective from the day following its approval by the Director-General.

16. CLASSIFICATION OF STUDY LEAVE

CLASSIFICATION OF STUDY LEAVE	NUMBER OF DAYS
1. Examination	1
2. Study (preparations per module)	3
2.1 Other matters related to study leave 22 days per annum may be utilized for the following:	22 per annum
• Research	
• Attendance of classes	
3. Sport	10 days per annum
4. Resettlement	2
5.Rehabilitation	26
6. Natural Disaster (Affidavit) News paper article	
7. Life Endangered	
8. Compliance with Legislation	3
9. Interview within the Public Service	5 days per annum
10. Trips outside the RSA borders:	
• Before trip	1
• After arrival from trip aboard	1
• Employees working abroad for more than a month	2

Annexure A

Study/Exam leave register

Name

Persal number.....

Contact number.....

Stationed at.....

Field of study.....

Duration of study.....

Subject	Preparation Date	Examination Date	Time table (Tick)	Original Exam (Tick)	First Re-exam (Tick)

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