

CORPORATE SERVICES DEPARTMENT LEAVE MANAGEMENT POLICY	Doc Nr	
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LEAVE MANAGEMENT POLICY

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Owner title, name and contact details	Senior Manager: Corporate services Email - MatshivhaMM@thulamela.gov.za Telephone -			
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1. DEFINITIONS AND ACRONYMS

1.1 Statutory and Regulatory

This Procedure applies to the following meanings and interpretations:

#	TERM	DESCRIPTION
1.1.1	Annual leave cycle	Means the period of twelve (12) months' employment with the same employer immediately following an employee's commencement of employment or following the completion of that employee's existing leave cycle.
1.1.2	Calendar year	Starts on 1 st January and ends on 31 December annually.
1.1.3	Day	Means Monday to Friday, excluding Public Holidays, unless indicated otherwise by the context, and all leave types will be submitted as 1.07 days, and Friday will be submitted as 0.75, excluding shift workers.
1.1.4	Employer	Refers to Thulamela Local Municipality.
1.1.5	Employee	Any person who is employed by Thulamela Local Municipality and receives any remuneration, and any other person who in any manner assists in carrying on or conducting the business of the employer, excluding an independent contractor.
1.1.6	Leave	Time off or away from work where the employee is not available to execute duties and tasks as normally done by an employee present at work.
1.1.7	Leave year	Leave year: a period of continuous service of 12 months, and such leave year normally should start on the date of appointment of the employee.
1.1.8	Maternity leave	A period of absence from work granted to a mother before and after birth of her child
1.1.9	Non-Statutory leave	Refers to special leave and council resolution leave.
1.1.10	Paternity leave	A period of time that a father is legally allowed to be away or absent from work after or shortly before the birth of his child.
1.1.11	Registered Medical Practitioner	(As per Collective Agreement on Conditions of Service) – Means a person entitled to practice as a Medical Practitioner in terms of section 17 of the Medical, Dental and Supplementary Health Services Professions Act, 1974 (Act 56 of 1974)
1.1.12	Remuneration (As per BCEA Act 75 of 1997)	Means any payment in money or in kind, or both in money and in kind, made or owing to any person in return for that person working for any other person, including the state.
1.1.13	Special leave	Special leave: leave in addition to normal leave, excluding statutory leave.
1.1.14	Sick leave	The period of 36 months of employment with the same employer immediately following an employee's commencement of or the completion of that employee's prior leave cycle.
1.1.15	Surrogacy leave	Parental leave granted to intended parents in a surrogacy arrangement.
1.1.16	Statutory leave:	Leave that is legislated includes annual leave, maternity leave, and family responsibility leave. Leave that is not

#	TERM	DESCRIPTION
		covered by this definition will be classified as non-statutory leave.
1.1.17	Senior Management	Shall be those employees employed as Head of Department, Deputy Head of Department and Director or such post as determined by the relevant division of the Council; and excludes section 56 and section 57 managers.
1.1.18	The municipality	Refers to Thulamela Local Municipality.
1.1.19	Working day	Means any day on which an employee is normally required to work according to the service requirement applicable to the employee's post and as agreed to in the SALGBC.
1.1.20	Year of Service	It is 12 months of continuous service from the date of appointment, and this date may be extended for any period of absence of 20 working days or longer in any leave year.

1.2 ACRONYMS

#	TERM	DESCRIPTION
1.2.1	BCEA	Basic Conditions of Employment Act No 75 of 1997 as amended.
1.2.2	ESS	Employee Self-Service.
1.2.3	EAP	means the Employee Assistance Program.

2. POLICY STATEMENT

- 2.1 The Municipality recognises the need for its employees to be granted official periods of absence from work to enable them to attend to personal matters and for their personal development and well-being. Except for certain types of leave, leave will be granted with due respect to the employee's rights and the operational requirements of the Municipality. Thulamela Local Municipality is committed to providing leave benefits that meet the needs of the employees but is equally sensitive to operational efficiency and financial viability.
- 2.2 This policy describes the leave benefits available to Thulamela Local Municipality employees and acceptable use of leave entitlements. The municipality strives and commits to regulating all forms of leave accrued due to employees as a benefit to them. Thulamela recognises the need for employees to be granted official periods of absence from work to enable them to attend to personal matters and for their personal development and well-being.

3. PREAMBLE

- 3.1 There are a variety of leave types available to ensure that all possible events that an official needs to attend or leave the workplace for can be captured on individuals' leave records. Thulamela Local Municipality, as an organ of state, believes that all employees are entitled to those different types of leaves per merit.
- 3.2 Different types of leave available to municipal employees range from annual leave, sick leave, family responsibility, adoption, study leave, etc. The municipality abides by the collective agreements and legislation to grant leave to each employee's subject to the requirements of each type of leave. The leave management policy has been developed for the Municipality to ensure management of leave management is administered in a fair and reasonable manner for the benefit of its employees.
- 3.3 This manual has been developed for the purpose of administering leaves for all employees of the municipality. It also serves as a guide to employees on procedures to be followed when applying for leave. Full-time employees' leave is regulated by the Collective Agreements on conditions of service in the South African Local Government Bargaining Council (SALGBC). This is therefore a manual for the implementation of such a Collective Agreement. It provides only leave entitlement and procedures within the framework of the SALGBC Collective Agreement.

4. PURPOSE

- 4.1 This policy serves to guide Thulamela Local Municipality management and staff regarding the application of the different leave types, as required by the South African Local Government Bargaining Council (SALGBC), Main Collective Agreement and Collective Agreement on Conditions of Service as well as the Basic Conditions of Employment Act. Furthermore, the policy intends to regulate all forms of leave accrued and due to the employee as a benefit and provide guidelines when taking or granting such leave.

5. OBJECTIVES

The following are objectives of the policy:

- 5.1 To guide all municipal employees on requirements for application of various types of leave available to them.
- 5.2 To enforce compliance on application of leave as per Collective Agreement
- 5.3 To ensure that employees know and understand their entitlement on various forms of leave as per Collective Agreements on conditions of service.
- 5.4 To regulate and avert the misuse of leave by employees in the expense of service delivery.
- 5.5 This is to ascertain the rights of the employees to types and duration of leave they are entitled to take.
- 5.6 To promote a fair and equal treatment of employees when taking leave ensure good governance of leave within the municipality.

6. SCOPE

- 6.1 The policy applies to all staff members of the Municipality, except temporary staff members who work less than 24 (twenty-four) hours a month. Leave for Senior Managers is dealt with in accordance with the Regulation on the appointment and Conditions of Employment for Senior Managers. Those employees whose employment contracts are linked to political office bearers and the term of the Council will be dealt with in the Policy on Employees Leaving Council.

- 6.2 The policy applies to all employees of the municipality as regulated by the South African Local Government Bargaining Council (SALGBC), i.e permanent and contract employees. The policy excludes Municipal Manager (MM) and Managers reporting directly to the MM as indicated by sections 56 and 57 of the Local Government Municipal Structures Act 32 of 2000 and Local Government regulations on appointment and conditions of employment of Senior Managers. (Municipality to provide direction on applicability on paragraph 1 or 2 above, section 54A Managers

7. TYPES OF LEAVE COVERED BY THE LEAVE POLICY:

The Leave Policy will regulate the following types of leave:

- 7.1 Annual Leave
- 7.2 Sick Leave
- 7.3 Family Responsibility Leave
- 7.4 Maternity, Adoption, and Surrogacy Leave
- 7.5 Parental Leave
- 7.6 Special leave for injury on duty cases and occupational diseases
- 7.7 Sick leave without pay
- 7.8 Special Leave
- 7.9 Leave for purposes of time off in lieu of overtime
- 7.10 Additional leave for Long Service Recognition
- 7.11 Leave without pay/Unpaid Leave

8. ENTITLEMENT

All employees of the Municipality are entitled to the following types of leaves:

8.1 ANNUAL LEAVE

- 8.1.1. The employer shall grant the employee the following Annual leave days in a leave cycle.

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

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

It is compulsory for every employee to take annual leave within each leave cycle as follows:

8.1.4. A 5—day worker shall take a minimum of 16 days compulsory leave, of which ten (10) days must be uninterrupted

8.1.5. A six-day worker shall take a minimum of 19 days compulsory leave, of which ten days must be uninterrupted

8.1.6. At the end of a leave cycle, an employee may not have more than 48 days of annual leave to his/her credit. Leave days in excess of 48 will lapse unless an employee has already applied for a leave to be taken within two weeks towards the end of the leave cycle.

8.1.7. An employee must take annual leave not later than six months after the end of the annual leave cycle.

8.2 SICK LEAVE

8.2.1 Sick leave shall be granted only in connection with an employee's absence from duty owing to illness, indisposition or injury. In the case of nervous disorders, insomnia, debility or a similar less well-defined illness or indisposition, sick leave shall only be granted only if the municipality is satisfied that the employee's state of health:

8.2.1.1 renders him/her unfit for work; and

8.2.1.2 does not arise from his/her failure to make use of vacation leave

8.2.2 The employer shall grant every employee eighty (80) days sick leave in a three (3)-year leave cycle.

8.2.3 The employee shall be required to submit a medical certificate from registered medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professions council established by an act of parliament, if more than two (2) consecutive days are taken as sick, provided that may employer may request a sick leave certificate for every day of sick leave where there is evidence of abuse of sick leave.

- 8.2.4 The employer is not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request by the employer does not produce the medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.
- 8.2.5 An employee must at all times endeavour to attach medical certificates to sick leave applications with specific reference to sick leave for periods longer than two working days.
- 8.2.6 If an employee must be absent from work for a longer period, a pro-forma certificate should be obtained from the doctor (e.g. before an operation / medical procedure) which will indicate the period of absence even before the sick leave is taken.
- 8.2.7 Leave applications shall also be completed and doctor's notes attached, even if an employee is using vacation or unpaid leave for purposes of sick leave (e.g. when sick leave has been depleted.)
- 8.2.8 When vacation or unpaid leave is used for purposes of sick leave, then this must be done with the employee's knowledge.
- 8.2.9 The employer is not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.
- 8.2.10 Thulamela Local Municipality may at any time require an employee to submit himself/herself to an examination by a registered medical practitioner or dentist appointed by the employer and the cost of such examination shall be borne by the municipality.
- 8.2.11 An Employee is entitled to additional sick leave as provided for in the Collective Agreement on Conditions of Service for the Limpopo Division; provided that the maximum period of sick leave to which an employee is entitled has been granted to him/her and owing to reasons of health he/she is not able to resume duty.

8.2.12 Sick leave shall not be granted to employees whose ill health has been caused by illegal activities.

8.2.13 An employee may not during any period of sick leave approved in terms of these conditions, resume service without the approval of a registered medical practitioner.

8.2.14 An employee who is absent from work due to illness must take all reasonable steps to notify the employer, manager or supervisor as soon as possible.

8.2.15 An employee qualifies for a paid sick leave if he/she has been with the employer for more than twenty (20) working days.

8.2.16 The leave form must be completed on the first day of returning to work. Failure to do so will result in the employee being considered to be on unauthorized leave, and this may lead to leave without pay.

8.3 MATERNITY/ADOPTION/SURROGACY LEAVE

8.3.1. An employee, including an employee adopting a child under 3 months, shall be entitled to 3 months paid maternity leave, with no limits to the number of confinements or adoptions. This leave provision shall also apply to an employee whose child is stillborn.

8.3.2. To qualify for maternity leave, an employee must have one year of service with the employer.

8.3.3. Maternity leave may commence four weeks before confinement.

8.3.4. When a child from zero (0) to four (4) years is adopted, adoption leave will be granted to an adopting employee. An employee is entitled to receive three (3) months paid adoption leave after the legal adoption procedure.

8.3.5. When a child older than four (4) years is adopted, adoption leave will be granted to an adopting employee. An employee is entitled to receive three (3) weeks paid adoption leave after the legal adoption procedure.

8.3.6. In case of Surrogacy a partner that, as per the Surrogacy Agreement, has been assigned to perform the role of the birthmother (receiving parent) shall be entitled to paid maternity leave of three (3) months.

- 8.3.7. In events referred to in 8.3.4, 8.3.5, and 8.3.6 above the child's birth certificate and adoption order or Surrogacy Agreement must be submitted to the Employer.
- 8.3.8. When a female employee applies for maternity leave, a doctor's note will be attached to the application indicating the expected date of delivery.
- 8.3.9. An employee who goes off from duty for maternity leave will complete all documentation before the start of the maternity leave.
- 8.3.10. Maternity leave may commence four (4) weeks before confinement.
- 8.3.11. Once maternity leave has commenced an employee may not return back to work within before the expected date of delivery and six weeks after the date of delivery, unless the employee so applies in writing and her application is supported by a doctor who certifies that she is in good health and may return to work.
- 8.3.12. To qualify for paid maternity/adoption/surrogacy leave, an employee must have one (1) year's continuous service with the employer.
- 8.3.13. An employee who does not qualify for paid maternity leave must apply for unpaid Maternity leave and then claim benefits from the Department of Labour (Unemployment Insurance Fund / UIF). The payment of benefits will be determined by the Department of Labour (and not by the employer.)
- 8.3.14. The employer shall grant an employee a surrogacy leaves to an employee who is a commissioning parent in a surrogacy motherhood agreement shall be entitled to receive a three months surrogacy leave with no limit to the number of surrogacy confinements.
- 8.3.15. A copy of the legal adoption approval forms/Surrogacy Agreement should be attached to the application for leave for that specific purposes.

8.4 FAMILY RESPONSIBILITY LEAVE

- 8.4.1. Family Responsibility leave applies to an employee who has been in the employment by an employer for longer than (4) months.

8.4.2. The employer shall grant an employee, during each annual leave cycle, at the request of the employee, a total of five (5) days paid leave, which the employee is entitled to take, either when:

8.4.2.1. The employee's child is born

8.4.2.2. The employee's child is sick;

8.4.2.3. The employee's spouse or life partner is sick;

8.4.3. In the event of death:

8.4.3.1. Of the employee's spouse or life partner;

8.4.3.2. Employee's parent, adoptive parent, grandparent, parents-in-law, child, adopted child, Grandchild or sibling.

8.4.4. In the case where an employee has accompanied his spouse/child to a doctor, a certificate with the patient's name must be provided, hence with the name of that particular employee to appear in the certificate.

8.4.5. Completion of the leave form shall be done on the first day upon returning to work; failure of which the employee being considered to be on leave without authorisation which shall result in leave without pay.

8.5 SPECIAL LEAVE FOR INJURY ON DUTY CASES AND OCCUPATIONAL DISEASES

8.5.1. An employee who is absent from duty due to an injury arising out of his/her duties and occurring in the course thereof or owing to an illness contracted in the course of and as a result of his/her, shall be granted special leave on full pay for the period during which he/she is to perform his/her duties.

8.5.2. If the case falls within the ambit of the Compensation for Occupational Injuries and Diseases Act, 1993(Act 130 of 1993), the amount payable to him/her in terms of an Act by means of periodic payments of his/her monthly earnings, shall be paid over to the municipality, provided that the employer has already advanced the amount to the employee.

8.5.3. Special sick leave may only be granted, if the employer was notified of an accident or disease as required in terms of sections 38 and 68 of the

Compensation for Occupational Injuries and Diseases (Act 130 of 1993) and that a satisfactory medical certificate from a registered medical practitioner is submitted to the Employer.

8.5.4. "Remuneration" as applicable in this paragraph includes all forms of remuneration as envisaged in the Compensation of Occupational Injuries Act (Act 130 of 1993) and subject to all provisions of the Act.

8.5.5. Special sick leave may only be granted if the injury on duty has been approved by the Compensation Commissioner (Act 130 of 1993) in respect of 6.6.3 and 6.6.4 above.

8.5.6. If the period of special sick leave in terms of above clauses exceeds 365 calendar days the employer may take any decision it deems appropriate in line with "ill health" and/or incapacity provisions of the Labour Relations Act.

9. SICK LEAVE WITHOUT PAY

9.1 An employee to whom the maximum period of full and half pay sick leave has been granted, may be granted sick leave without pay for not more than 250 working days in any cycle if the employer is satisfied that such an employee is not permanently incapacitated to resume his/her duties provided where sick leave without pay exceeds 40 consecutive days, the employee must be examined by a registered medical practitioner appointed by the employer. The cost of such examination shall be borne by Thulamela Local Municipality as an employer.

SPECIAL LEAVE

9.2 Study examination purposes.

The following shall be categorised to fall under special leave:

9.2.1 Study Leave: Where an employee applies for leave for exam purposes, an exam roster/time table in the name of the employee should be attached to the application (not a copy of the general notice which was displayed at the tertiary institution – the general notice where the employee's individual name does not appear, does not prove that the employee has examination approval. The exam roster should explicitly mention the name of the employee. An employee is required to provide a proof when he/she applies for leave for study purposes.

The employee must attach documentary proof for the reason that the leave is applied for.

- 9.2.2 Study leave shall be granted to an employee on the basis of one (1) paid study leave for each day that an employee writes an examination plus two (2) days per paper for preparation for the examination in order to qualify for a formal qualification.
- 9.2.3 Leave of absence for obligatory training courses: The fields of study must be relevant to the Local Government undertaking in accordance with the municipality's policy.
- 9.2.4 An employee attending a work-related training or training course shall be deemed to be on duty.
- 9.2.5 Additional leave for Post Graduate Studies: Special leave for a dissertation or thesis will be granted with full pay to a maximum of five (5) working days leave per qualification or for research.
- 9.2.6 Attending of classes during office hours: An employee who studies part-time or by means of correspondence in a field applicable to the employer and who, as a result of his/her studies, is required to be absent from his/her place of work, will be granted vacation leave and special leave on a 50:50 basis for the time he/she is released from duty, subject to the exigencies of the service. If he/she does not have leave to his/her credit, unpaid leave will be.
- 9.2.7 **Leave for writing Tests:** The Municipality acknowledges that during the duration of obtaining a qualification employees are expected to write tests, in the middle of study terms, therefore Study leave shall be granted to an employee on the basis of one (1) paid study leave for each day that an employee writes a test.
- 9.2.8 Where an employee applies for leave for test purposes, a Timetable in the name of the employee should be attached to the application (not a copy of the general notice which was displayed at the tertiary institution – the general notice where the employee's individual name does not appear, does not prove that the employee has been scheduled to write a test. The Test Timetable should explicitly mention the name of the employee.)

- 9.2.9 **Leave for attending Graduation Ceremonies:** The Municipality also acknowledges that upon completion of a qualification employees are invited to graduation ceremonies, therefore Study leave shall be granted to an employee on the basis of one (1) paid special leave for each day that an employee attends a graduation ceremony.
- 9.2.10 Where an employee applies for leave to attend a graduation ceremony, an invitation in the name of the employee should be attached to the application (not a copy of the general notice which was displayed at the tertiary institution – the general notice where the employee's individual name does not appear, does not prove that the employee has been scheduled to attend a graduation ceremony. The invitation should explicitly mention the name of the employee.)
- 9.2.11 **To attend a court of tribunal:** Upon receipt of written subpoena, notice of set down or any similar notice an employee who is subpoenaed/called to attend a Court of Law or a Tribunal or any other similar forum as a witness shall be granted paid special leave that day. In executing the provision of the above-named clause subpoenaed employees shall inform their line Managers a day before to leave their work stations. Any employee who is arrested and appears in court as a result of charges laid by his Employer and who is later acquitted shall be granted paid leave for the period of incarceration. An employee who is incarcerated but not convicted for a period of twelve(12) months shall be granted unpaid leave in his/her position for the said period.
- 9.2.12 **Sports, arts and culture events:** An employee who is selected by recognized amateur or professional sports, art and culture association, which association may qualify for special leave provided that such association be recognized by NOCSA 17 or the Council of Sport of South Africa and the Council for Art and Culture.
- 9.2.13 **Quarantine and isolation under medical instructions:** Where a registered Medical Practitioner has placed an employee under quarantine/ in isolation in terms of the Public Health Act, 1977(Act 63 of 1977) or any Regulations in force there under, such an employee shall be granted paid special leave, provided that the medical certificate has been submitted.
- 9.2.14 All Application for Special Leave, the operational requirements must be taken into consideration whereby relevant supporting documents must be provided

and must accompany the application. Application for special leave, must be approved by the Municipal Manager or his delegate and shall be considered in a bona fide manner; and shall not be unreasonably refused.

10. SPECIAL LEAVE FOR ADHOC INSTANCES

- 10.1 Special leave with full pay may be granted to an employee when the employee, after the Council has given permission the employee may become a member of the reserve police, performs police duties in terms of Sec 48 of the South African Police Act, 1995(Act 68 of 1995), participate in a bona fide sport activity at provincial and higher level in which case the special leave will not exceed three (3) working days per event and these three (3) days may include travelling time.
- 10.2 Special leave on full pay will be granted to an employee who has been arrested or has to appear in court on a criminal charge and is later acquitted or has the charges withdrawn.
- 10.3 Gives evidence in a court case after a subpoena and/or summons has been served on him/her.

11. LEAVE FOR PURPOSES OF TIME OFF IN LIEU OF OVERTIME.

- 11.1 Leave for purposes of time off in lieu of overtime may be granted where an employee worked overtime without any compensation; provided that such overtime is authorised in terms of the Municipality's System of Delegation. Overtime worked shall be captured on an overtime schedule, specifying the date, hours of overtime worked and hours taken, which schedule must be signed by the employee and his/her supervisor.
- 11.2 Application for leave for purposes of time off in lieu of overtime shall be submitted. Such applications must be accompanied by a schedule as an evidence. Where an employee is allocated special leave as payment for overtime worked, then the special leave should be allocated to the employee after converting the hours to overtime values in line with the Municipality's Overtime Policy.
- 11.3 Leave in lieu of overtime cannot be encashed and shall be forfeited if not taken within the calendar year which the employee became entitled to the leave, it shall be forfeited on the last day of such calendar year.

12. ADDITIONAL LEAVE FOR LONG SERVICE RECOGNITION

12.1 An employee who was appointed after 1 July 1986 shall qualify for the following additional leave as recognition for long service at the same employer, which shall be only on the date on which the various periods of continuous service have been completed;

12.1.1 After: 10 years of service – 10 working days

12.1.2 After 15 years of service – 20 working days

12.1.3 After 20 years of service – 30 working days

12.1.4 After 25 years of service – 30 working days

12.1.5 After 30 years of service – 30 working days

12.1.6 After 35 years of service – 30 working days

12.1.7 After 40 years of service – 30 working days

12.1.8 After 45 years of service – 30 working days

12.2 The long service recognition leave may be wholly or partially converted to payment on the date on which the employee qualifies for it or at any stage thereafter subject to budget provisions. When an employee terminates services, long service recognition leave balance does not form part of the overhead maximum of 48 days leave that may be paid out as per the Main Agreement. Long Service recognition will be pro-rated for employees on termination of service.

13. LEAVE WITHOUT PAY/UNPAID LEAVE:

13.1 Leave without pay as approved by the Municipal Manager or his delegate, which approval shall not be unreasonably withheld, shall be subject to the following conditions:

13.1.1 Leave without pay shall be granted when all available vacation and/or sick leave has been exhausted.

13.1.2 Leave without pay shall also be granted if an employee took leave without his/her Manager's approval even if the employee has accumulated leave days available.

- 13.2 For the period of leave without pay the Employer shall continue to make Employer's contribution only to the employee's life insurance scheme, pension and medical aid fund provided that the employee shall be liable for his own contributions to the said funds, as well as payments in terms of a Collective Agreement.
- 13.3 An employee may apply for unpaid leave on the same format that other types of leave are applied for; the reasons for the unpaid leave must be provided on the application.
- 13.4 Unpaid leave more than 20 working days in a leave cycle extends the allocation date for new leave accruals;
- 13.5 Unpaid leave must be captured on an employee's leave record and must also be informed to the payroll to ensure that the necessary adjustments to salary payment(s) are made.

14. LEAVE OF ABSENCE GRANTED IN EXCESS

- 14.1 When more paid leave of absence that has been granted to an employee inadvertently but in good faith, and been taken by him / her, the leave granted in excess may be deducted from leave which may accrue to him / her or the value thereof may be claimed from him / her, whichever the employee may prefer.

15. TERMINATION OF PERMANENT SERVICE, RE-EMPLOYMENT AND DEATH

- 15.1 If a permanent employee whose service is terminated for any reason whatsoever, payment of the leave days must be made is about four months, if the employee is re-employed, such re-employment shall for leave purposes be regarded as a new appointment. Payment of the leave days to the employee shall be made within one month after exiting the municipality.
- 15.2 In the case of termination by death of an employee, payment of leave days shall be made after all relevant documents have been submitted by the claimant.

16. PROCEDURE MANUAL

16.1 GENERAL PRINCIPLES

- 16.1.1. All employees are expected to apply for leave in advance and wait for approval before they leave, except where it is practically impossible to get such approval before absence (e.g. sick leave).

16.1.2. The employer (i.e. Supervisor /HOD/Municipal Manager) shall not unreasonably refuse to approve leave of absence where correct procedure has been followed by the employee.

16.1.3. Any absenteeism without an approved leave or any valid reason shall be regarded as leave without pay. If a trend of absenteeism by any employee without approved leave is noticed by the employer, the employer may be subjected to an internal disciplinary process.

16.1.4. The employer reserves the right to recall an employee on annual leave if the employer's operational requirements oblige, hence, the onus is on the employee to notify the employer of the residential address and/or the change of address during leave.

16.1.5. Each Department shall administer its own members with its allocated Leave Book, and no employee shall use the Leave Book of another Department.

16.1.6. All applications for leave must have documentary proof for final approval, except annual leave and one day's sick leave.

16.1.7. The time frame for capturing leave on the system must be three weeks after the leave has been approved by the head of department.

16.1.8. Leave without pay can only be implemented at the recommendation of the immediate Supervisor or Head of the Department (HOD) or at the instruction of the Municipal Manager.

16.2 PROCEDURE APPLICABLE TO ANNUAL LEAVE AND MATERNITY AND SURROGACY LEAVE

16.2.1. Step 1: An employee shall go to his/her Department to fill a Leave Form in a Leave Book in Triplicate.

16.2.2. Step 2: An employee shall fill out a leave form three days before the leave starts.

16.2.3. Step 3: The Designated Official of the relevant department shall send the Leave Book to the Human Resource (HR) Administration Office for confirmation of the available days.

16.2.4. Step 4: The Designated Official of the Department shall then arrange for the recommendation by the Supervisor and approval by the HOD/Senior Officer of the Department.

16.3 PROCEDURE APPLICABLE TO SICK AND FAMILY RESPONSIBILITY LEAVES.

When an employee takes a sick or family responsibility, the following procedure shall apply:

16.3.1. Step 1: The applicant shall inform the immediate supervisor before, if possible.

16.3.2. Step 2: The applicant must fill out the leave form in the leave book in the department on the first day of returning to the work station. The documentary proof (i.e. sick certificates) must be submitted for the number of sick leave days taken. The documentary proof is required irrespective of the number of days taken, In the case of family responsibility leave.

16.3.3. Step 3: The relevant department shall then ensure that the immediate supervisor and they must approve the leave before taken to the Corporate Services Department.

16.3.4. Step 4: The Corporate Services Department shall do the capturing of leave in the system.

17. **LEAVE REGISTERS**

17.1 Leave is a liability for Municipalities, and therefore proper management of leave will ensure that any risks / liabilities for both the employer and employees are reduced to a minimum or prevented.

17.2 All leave granted, taken, encashed, forfeited and all actions around leave of an employee shall be recorded in the official leave register (electronic format - ESS or manual- employee leave files) of the employer and such leave register shall be under the control of the Manager: Human Resources.

17.3 An employee is entitled to inspect his/her leave record at all reasonable times during office hours.

17.4 All leave must be applied for in a format or way of application as approved by the employer (electronic format and hard copy application only if there are technical difficulties with the Employee Self Service System.)

18. LEGISLATIVE AND REGULATORY FRAMEWORK

- 18.1 Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996).
- 18.2 Municipal Systems Act, 2000 (Act No. 32 of 2000).
- 18.3 Municipal Structures Act, 1998 (Act No. 117 of 1998).
- 18.4 Municipal Finance Management Act, 2003 (Act No. 56 of 2003).
- 18.5 Labour Relations Act, 1995 (Act No. 66 of 1995).
- 18.6 Employment Equity, 1998 (Act No. 55 of 1998).
- 18.7 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997).
- 18.8 Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993).
- 18.9 South African Local Government Bargaining Council: Collective Agreements.
- 18.10Municipal Staff Regulations.
- 18.11SALGBC Main Collective Agreement.
- 18.12South African Local Government Bargaining Council (SALGBC) Limpopo Division: Collective Agreement on Conditions of Service of 2017.
- 18.13South African Local Government Bargaining Council, Circular No.4/2025, An Addendum to the Main Collective Agreement: Implementation of paid Surrogacy Leave.

19. STAKEHOLDER ENGAGEMENT

- 19.1 All the relevant stakeholders, internal and external, will be consulted through the development and implementation of this policy.

20. IMPLEMENTATION: ROLES AND RESPONSIBILITIES

- 20.1 The office of the Senior Manager: HR / Director: Corporate services will be assigned to administer and enforce the policy. All heads of departments will be delegated to administer the policy in their own section/unit

21. MONITORING AND EVALUATION

- 21.1 The Department of Corporate Services will continuously monitor the implementation of this policy.
- 21.2 This policy will be assessed to determine its relevance and effectiveness and to assess whether it has achieved the intended objectives on a continuous basis.

22. CONCLUSION

- 22.1 In conclusion, the Leave Management Policy outlines critical matters raised in the purpose and the objectives. The provisions in the policy content highlight the need for the municipality to adhere to the key issues narrated, which will address challenges encountered and lead to effective and efficient implementation of the policy.
- 22.2 Thulamela Local Municipality commits to making resources available, monitoring and evaluating the effectiveness of the policy, thus encouraging all relevant stakeholders to familiarise themselves with the policy.

23. REVISION DATE

- 23.1 This policy shall be reviewed every 3 years or as and when the needs arise

24. ANNEXURES

- 24.1 Business Process Map
- 24.2 Standard Operating Procedure