



Special Leave Policy

Policy Registration Number: 2024-11

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DEFINITION OF TERMS:

1.	Employee	Any person who holds a temporary or permanent on an approved establishment of a department, including those held additional to the establishment
2.	Mutatis mutandis	Making necessary alterations while not affecting the main point of issue
3.	Executive Authority	The entity or individual responsible for exercising authority and governance

Acronyms		
1.	DPSA	Department of Public Service and Administration
2.	HOD	Head of Department
3.	MEC	Member of the Executive Council
4.	SMS	Senior Management Services
5.	EAP	Employee Assistance Programme
6.	SDIMS	Social Development Information Management System
7.	PFMA	Public Finance Management Act
8.	MTEF	Medium Term Expenditure Framework

LEGISLATIVE FRAMEWORKS

1. Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)
2. Public Service Regulations, 2016
3. Public Service Act 1994, as amended
4. Public Finance Management Act of 1999
5. PSCBC Resolution 7 of 2000
6. Basic Conditions of employment Act, 1997
7. Determination and directive on leave of absence on leave of absence in the Public Service, 2021
8. Frequently asked questions on the implementation of the new leave system issued by the DPSSA, 18 April 2001
9. Compensation for Occupation injuries and diseases act, 1993

1. PREAMBLE

The department of Social Development attaches considerable importance having a clear policy for management to comply when approving for a special leave for domestic, personal and family matters. The primary objective of special leave is to ensure staff balances the demands of domestic and work responsibilities on situation of urgent and unforeseen circumstances through provision of paid or unpaid leave according to the circumstances. Leave granted under these circumstances shall not intended for long-term domestic and family leave.

The following leave types shall be granted under special leave:

- a) Examinations
- b) Full-time attendance (during final year)
- c) Block attendance
- d) Sabbatical leave
- e) Attendance of classes during working hours
- f) Participation in sports
- g) Resettlement due to a transfer
- h) Quarantine
- i) Miscellaneous
- j) Rehabilitation Leave (Treatment for Substance Abuse)

Section 21 of the DPSA determination of Leave requires the departments to develop or customise special leave policy which shall be aligned to determination and National legislations.

2. PURPOSE:

The purpose of this policy is to regulate an employee's absence from duty by means of granting leave of absence within the framework, provisions and measures as set out in this policy and to provide guidance on the application of section 21 of the DPSA Leave Determination.

3. OBJECTIVES:

- a) To ensure leave is granted to employees under circumstances that necessitate their absence from work, where such absence is in the interest of department or the country and the employee.
- b) To provide guidelines and procedures to follow when applying for and granting such leave.
- c) To provide direction as to when certain events shall be regarded as part of an employee's official duties that shall not require them to apply for special.

4. SCOPE OF APPLICABILITY:

This policy applies to all employees of the department employed on a full time, part time or casual basis in terms of the Public Services Act of 1994 as amended.

5. PRINCIPLES AND VALUES:

The following are the principles underpinning this policy:

- a) **Fairness** through application of fair practice, policies and procedures.
- b) **Transparency** by application of the principle of openness.
- c) **Access** by providing relevant information, resources and facilities for people from the designated groups.
- d) To implement the objectives of this policy in as cost-effective manner in line with Departmental MTEF and PFMA.
- e) **Participation** through consultation of all stakeholders and promotion of cultural understanding of diversity amongst employees.

- f) Management and Employees are **accountable** for making decisions that are in line with the achievement of the objectives of this policy.
- g) To provide **reasonable accommodation** that enable people from designated group to maximize their potential.
- h) The policy shall be applied in a **professional** manner in accordance with HR best practices.
- i) This policy seeks to ensure the achievement of optimum **services delivery**.

6. POLICY STATEMENT

The department is committed to ensure staff balance work duties with other commitments and this policy shall be part of that commitment. The policy shall ensure department is compliant with the current employment legislation.

The department is committed to training and development of its workforce to higher levels of knowledge and skill for the department's benefit. The department shall therefore, subject to operational requirements, assist its workforce as far as possible with study leave to obtain high educational qualifications by means of part-time or correspondence study at recognized South African or overseas institutions.

6.1 Examinations

- a) Special leave with full pay shall be granted to an employee for each subject / module that employee shall sit for an examination(s.) The aim of the department is to better equip the employee, for a career path in the Public Service, irrespective of whether it relates to employee field of study or not.
- b) Examination referred to above shall include ordinary school subjects up to matric as well as examinations in respect of which a certificate is not necessarily issued to successful candidates.
- c) Special leave with full pay equal to the number of subjects / modules which employee sits for an examination shall be granted to an employee to enable employee to prepare for the examination, Special leave shall be granted for bona fide final examinations and shall not for class tests, term papers.
- d) For the purpose of this policy, final examinations include all examinations that lead to the conclusion of a subject (including semester courses).

- e) The examination timetable bearing the employee's name and or student number in an institution's letter head or official stamp of the institution shall be attached to the special leave application.
- f) Examination leave provided for above, shall not be granted for failed courses that an employee shall re-write. In this case normal vacation leave shall be utilized.

6.2 Full- Time Attendance (final year of studies)

Apart from special leave an employee who studies part-time and who would like to do final year of studies full-time, shall be granted 5 months special leave with full pay and thereafter study leave on basis of one day's special leave with full pay for each day's vacation leave with full pay taken by employee in connection with studies (50/50 basis) and if necessary, vacation leave without pay (not exceeding 184 days calendar days). For this purpose, the field of study shall be in line with the department's strategic objectives and leave shall have been applied for and approved at the beginning of the relevant academic year.

6.3 Block Attendance:

Employees doing post-graduate studies on a part-time basis and who need to be absent from duty for periods of time to attend compulsory classes, do presentations and write tests as a package that substitute examination (block attendance), shall be granted special leave on 50/50 basis for each period of block attendance. If the period of block attendance amounts to an unequal number of days, the biggest number of days special leave shall be granted to the employee.

Other

- a) Where necessary, a maximum of twelve (12) days special leave with full pay shall be granted to an employee under circumstances mentioned below, on condition the department is satisfied for studies undertaken are in the interest of the department.
 - i. Research work and/or writing an essay or a thesis for a postgraduate qualification,
 - ii Attendance of ii preparatory course with a view to sit for a qualifying examination in order to obtain admission to a particular field of study,

- b) This provision shall be applied only in cases where an employee conducts preparatory and research work with a view to writing a re-examination or an examination in respect of a study course which failed and had to repeat.

6.4 Attendance of Classes during Working Hours:

An employee who studies part-time or by means of correspondence at a recognized educational institution and who, as a result of studies, is required to attend classes during working hours shall be released from duty on the day employee has to attend class during working hours, for at least two days per month. Confirmation from institution to be submitted on the institution letterhead, endorsed by relevant authority.

6.5 Sport participation

6.5.1 Special leave with full pay shall be granted to an employee when is elected by a recognized amateur sport association to:

- a) Take part as a member of an organized sports group, in a sport tour outside the republic whether as a competitor, coach or manager, or
- b) Representing South Africa, and not merely a club or province, as a competitor, coach or manager at international sporting events within the Republic, or
- c) Accompany a foreign national team visiting the Republic, as a representative of the South African sports association organizing the tour, and
- d) Serve as a referee, an employee or a judge at an organized amateur sport meeting at international level inside or outside the boundaries of the Republic.

6.5.2 Special Leave with full pay shall be granted to an employee when is selected by a recognized amateur sports association to take part within the Republic at an inter-provincial level between provincial and national level or a level lower than the national level against an international team.

6.5.3 The following is the procedure for granting this type of Special Leave:

- a) One (1) day special leave with full pay shall be granted for each day vacation leave with full pay which the employees takes (on a 50/50 basis) provided that the number of days special leave which

shall be granted per employee per year ending December thirty-one (31), for the purpose in question, be limited to a maximum of ten (10) days. A total of twenty (20) days' sports leave (10 days special leave and 10 days' vacation leave) shall be granted.

- b) When an employee desires to take only one (1) day sports leave the employee and the department shall in turn respectively take one day vacation leave with full pay or grant or grant one (1) day special leave with full pay.
 - c) If the period of sports leave amounts to an unequal number of days, an employee and the department shall in turn respectively take the biggest number of days' vacation leave with full pay and grant the smallest number of days special leave with full pay.
 - d) Where an employee has no vacation leave to special leave credit shall not be granted.
- 6.5.4 Mutatis mutandis shall apply to an employee who serves as a referee, official or judge at an organized amateur sports meeting.

6.6 Resettlement:

Two (2) days special leave with full pay shall be granted to an employee who is, transferred from one place of employment to another in order for employee to:

- a) Arrange accommodation.
- b) Supervise the packing/loading and unpacking/unloading of personal effects
- c) Arrange school for children
- d) Connect/disconnect water/lights
- e) Pre-site visit

Special leave for this purpose shall be taken according to a bona fide need after physical transfer (whether the employee is transferred at a state expense) of an employee from one place of employment to another and shall be taken within one (1) month of physical transfer.

6.7 Quarantine:

Special leave shall be granted in respect of periods where an employee is absent from duty as a result of segregation or isolation on medical instructions, where was in contact with a person who has contracted or

suspected of having contracted an infectious or contagious disease. The granting of special leave shall be subjected to the submission of a medical certificate from a registered medical practitioner indicating the period and the reason for segregation or isolation.

6.8 Miscellaneous:

Special leave with full pay shall also be granted to an employee who:

- a) In the case of a disabled employee, who attend a recognized orientation course or a recognized training course in relation to employee's disability status.
- b) The area in which employees are working is struck by a natural disaster and department is satisfied that it was impossible for employees concerned at time to continue with official duties.
- c) When, during an industrial action an employee is absent from duty and absence did not emanate from participation in riots / strike / boycotts but ascribed the fact employee was physically prevented (intimidated) to report for duty, on condition that employees supervisor confirms the above mentioned circumstances.
- d) Attends an interview within the public service and has a proof thereof.

6.9 Rehabilitation Leave (Treatment for Substance Abuse)

- a) An employee who abuses alcoholic liquor or drug substances shall be granted special leave with a view of rehabilitating in anticipation of further utilizing employee's service. Treatment shall, however, be completed and a medical certificate and a complete report compiled by a medical practitioner, an institution/the EAP practitioner is submitted to the department.
- b) An EAP practitioner shall refer the official for rehabilitation.
- c) For the above purpose, special leave with full pay shall be granted for the duration of the treatment up to the maximum of nine (90) working days. This concession shall be allowed once; therefore, if there is a relapse, an employee shall utilize vacation leave days.

7 Absence regarded as being on official duty:

An employee shall be regarded as being on official duty in the following instances:

- a) When an employee is a witness of the state;
- b) In a court case;
- c) In a misconduct case in terms of the law;
- d) Before a commission or committee of inquiry appointed by department.
- e) At an inquest;
- f) At an inquiry (established by a recognized government body);
- g) is a defendant or co-defendant in a civil court case arising from official duties and in which the department has direct interest.
- h) assists or represents an officer or employee during a disciplinary or misconduct inquiry or during an investigation into a complaint or grievance.
- i) as the person charged with misconduct during a disciplinary or misconduct enquiry.
- j) attends short courses, congresses, symposia, seminars, conferences, lectures, and study tours abroad; The above-mentioned shall be viewed as a means of keeping employer informed of the latest developments in their respective work areas, the attendance proof of such shall serve as an important measure.

8 Authority to Approve:

All leave applications including special leave shall be recommended by immediate supervisors and be approved by Heads of directorates or units except for the following leave applications:

- a) All Study Leave applications exceeding thirty (30) working days.
- b) All leave applications pertaining to Sport Participation.
- c) All leave applications relating to rehabilitation.

For the leave types a written request or application with completed leave application forms attached shall be made and be directed to the HoD for his/her approval. No leave shall be taken without this pre-approval.

9 ADMINISTRATION OF THE POLICY

The Head of Department (HoD) shall be the responsible person for administering and enforcing this policy.

10 ACCOUNTABILITIES AND RESPONSIBILITIES

The following are the roles and responsibilities of the stakeholders as listed below:

10.1 Employee:

- a) Employees shall discuss intentions to apply for leave with the supervisor.
- b) Shall submit leave application online, at least two (weeks) before the commencement of leave.
- c) Shall follow up with the supervisor on the developments of application.
- d) Employees shall ensure application is approved before leave.
- e) Shall ensure work is completed, and reports are submitted before leave.
- f) In case of an acting employee to be appointed during employees absence, an employee shall ensure that a necessary handover is done.

10.5 Supervisor and Head of the directorate:

- a) The supervisor shall recommend and approve the leave application online.
- b) Supervisor shall ensure that an acting delegation is implemented on Social Development Information Management System (SDIMS)
- c) Shall ensure the employee has done work before on leave.
- d) Shall ensure service delivery is ongoing while the employee is away.
- e) Shall ensure that a necessary handover is done before an employee on leave.
- f) Shall ensure transparency, accountability and fairness when handling leave applications.

10.3 Head of Department:

- a) The HOD shall ensure proper administration of all leave applications including special leave.
- b) The Head of department shall ensure effective and efficient special leave management in the department.

- c) Shall ensure transparency, consistency and fairness in all leave applications.

11 EFFECTIVE DATE OF THE POLICY

This policy shall be effective from the date of its approval.

12 MONITORING MECHANISMS

The Head of department shall be responsible for the continuous administration and monitoring of this policy and any inputs or amendments to this policy document shall be directed to HoD in writing.

13 REVIEW OF THE POLICY

This policy will be reviewed after three years of its effective date and change in legislation.

14 POLICY RECOMMENDATION AND APPROVAL

RECOMMENDED / NOT RECOMMENDED



MR. M. MACHEMBA

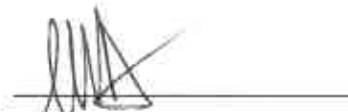
Head of Department

Dept. of Social Development

Date

03/12/2019

APPROVED/ ~~NOT APPROVED~~



MS. B. FANTA

Member of Executive Council

Dept. Of Social Development

Date

15/12/2019

ANNEXURE 1

APPLICATION FOR LEAVE OF ABSENCE

Surname:									Initials:					
PERSAL Number:									Shift worker	Yes		No		
Address during the Leave Period Tel. No:									Casual Employee	Yes		No		
									Department					
									Component					
SECTION A: For Periods covering full day														
Type of Leave Taken As Working Days									Start Date		End Date		Number of Working Days	
Annual Leave														
Normal Sick Leave ¹														

Temporary Incapacity Leave	<i>This application form shall not be used to apply for temporary incapacity leave. Temporary incapacity Leave shall be applied for on the application form prescribed in terms of the Management Policy and Procedure on Incapacity Leave and Ill-health Retirement for Public Service employees. Please contact Personnel Office for further information.</i>		
Leave for Occupational Injuries and Disease			
Specify Type of Illness			
Adoption Leave ²			
Family Responsibility Leave (Provide Evidence)			
Special Leave			
Specify Type of special Leave			
Leave for Union Office Bearers (Provide Evidence)			
Type of Leave Taken as Calendar Days/Months	Start Date	End Date	Number of Working Days
Unpaid Leave (Provide Motivation)			
Pre-natal Leave (Provide Evidence)			
Maternity Leave (Attach Medical Certificate)			No. of Calendar Months

SECTION B: For Periods covering parts of a day or fractions					
Type Of Leave Taken As Working Days	Date	Start Time	End Time	Number of Hours/ Minutes	
Annual Leave				H	M
Normal Sick Leave				H	M
Family Responsibility Leave (Provide Evidence)				H	M
Special Leave				H	M
Specify Type of special Leave				H	M
Leave for Union Office Bearers (Provide Evidence)				H	M

I hereby certify that I have acquainted myself of my available leave credits and with the rules governing the leave I have applied for. Further, I am certifying that the information provided is correct. Any falsification of information in this regard may form ground for disciplinary action. Furthermore, I fully understand that if I do not have sufficient leave credits from my previous or current leave cycle to cover for my application, my capped leave as at 30 June 2000 will be automatically utilized.

.....

EMPLOYEE SIGNATURE **DATE**

Recommendation by Supervisor/Manager (Mark With X)

Recommended		Not Recommended		Rescheduled	
-------------	--	-----------------	--	-------------	--

REMARKS *(If not recommended please state the reasons & the dates in the case of rescheduling):*

.....
MANAGER'S/SUPERVISOR'S SIGNATURE

.....
DATE

Approval by Head of Department (Mark With X)

**Approved with Full
Pay**

Approved Without Pay

Not Approved

REMARKS *(If approved with a change in condition of payment or not approved, please provide motivation):*

.....
SIGNATURE OF HOD OR DESIGNEE

.....
DATE

DATA CAPTURING

CAPTURED BY:.....

CAPTURED ON:.....

Signature:.....

CHECKED BY:.....

CHECKED ON:.....

Signature:.....

¹ Applications in respect of sick leave of three or more days shall be accompanied by a medical certificate issued by a registered medical practitioner.

² Applications for adoption leaves shall be accompanied by a declaration on how the entitlement will be used in the case where both spouses are in the employ of the Public Service.

