



Department of Social Development

Special Leave Policy

Policy Registration Number

Definitions and Terms:

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

Employee:	Any person who holds a temporary or permanent post on an approved establishment of a department including those held additional to the establishment.
DPSA	This refers to the Department of Public Service and Administration.
SG	This refers to the Superintendent General
MEC	This refers to the Member of the Executive Council.
SMS	This refers to Senior Management Services
EAP	This refers to Employee Assistance Programme.
Mutatis Mutandis	
Executive Authority	

Table of Contents

- i. Definition of Terms
- ii. Legislative Framework
- iii. Preamble
- iv. Purpose
- v. Objectives
- vi. Scope of Applicability
- vii. Principles and Values
- viii. Policy Statement
- ix. Authority to Approve
- x. Administration of the policy
- xi. Accountabilities & Responsibilities
- xii. Effective date of the policy
- xiii. Procedures for implementation
- xiv. Monitoring Mechanisms
- xv. Risk Management of the policy
- xvi. Review of the policy
- xvii. Policy Recommendation and Approval
- xviii. Annexure A: Consultation Schedule
- xix. Annexure B: Leave Application Form

Legislative Framework

The following are pieces of legislation underpinning this policy:

- i. Public Service Regulations, 2001
- ii. Public Services Act, 1994 as amended
- iii. PSCBC Resolution 7 of 2000;
- iv. Basic Conditions of Employment Act, 1997;
- v. Directive on leave of absence in the Public Service issued by the Minister for Public Service and Administration, 30 November 2000;
- vi. Frequently asked questions on the implementation of the new leave system issued by the DPSA, 18 April 2001;
- vii. Compensation for Occupational Injuries & Diseases act, 1993

1. Preamble:

- a) The Department of Social Development attaches considerable importance to having a clear policy for managers to follow when they consider and approve Special leave for domestic, personal and family matters. The main objective of Special Leave is to help staff balances the demands of domestic and work responsibilities at times of urgent and unforeseen circumstances through the provision of paid or unpaid leave according to the circumstances. Leave granted under these circumstances is not intended for long-term domestic and family leave.
- b) Section 21 of the DPSA determination of Leave requires the Departments to develop their own special leave policies which are aligned to this determination and other national policies.

2. Purpose:

The purpose of this policy is:

- a) 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
- b) To provide guidance on the application of section 21 of the DPSA Leave Determination.

3. Objectives:

- a) To indicate circumstances and /or responsibilities under which the Department of Social Development as an employer shall authorize special leave with full pay and thus give effect to Part IV (F) of the Public Services Regulations, of 1999, as amended read with Section 7.8 of PSCBC Resolution 7 of 2000.

4. Scope of applicability:

This policy applies to all employees of the department who are 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 will 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** to all.

6. Policy Statement

The Department is committed to helping all staff to balance their work with other commitments and this policy is part of that commitment. The policy also ensures that the Department is compliant with the current employment legislation.

6.1 Special Leave and Release from Duty for particular purposes:

The following leave types shall be granted under special leave:

- a) Examinations
- b) Study leave
- c) Class attendance
- d) Participation in sports
- e) Resettlement due to a transfer
- f) Quarantine
- g) Miscellaneous
- h) Leave between Christmas and New year
- i) Rehabilitation Leave (Treatment for Sustance Abuse)

6.2 Study Leave

- a) 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 will 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.

6.3 Examinations

- a) Special leave with full pay may be granted to an employee for each working day on which he/she sits for an examination(s) which in the opinion of the department has the object to better equip him/her for a career in the Public Service, irrespective of whether it relates to his / her field of study or not..
- b) Examination referred to above 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.
- c) Special leave with full pay equal to the number of days on which he/she sits for an examination referred to in subparagraph 6.2.1(1) ,may be granted to an employee to enable him/her to prepare him/herself for the examination. **NB.** Special leave may only be granted for bona fide final examinations and not for class tests, term papers, etc.
- d) For the purpose of this policy, final examinations include all examinations that will 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 always be attached to the special leave application.
- f) Examination leave provided for above, may not be granted for failed courses that an employee has to re-write. In this case normal vacation leave will have to be utilized.

6.4 Full- Time Attendance (final year of studies)

- a) Apart from special leave contemplated in subparagraphs 6.2.1(1) to 6.2.1(v), an employee who studies part-time and who would like to do his / her final year of studies full-time, may be granted 5 months special leave with full pay and thereafter study leave on the basis of one day's special leave with full pay for each day's vacation leave with full pay taken by him / her in connection with his / her studies (50/50 basis) and if necessary, vacation leave without pay (not exceeding 184 days calendar days). For this purpose the field of study should be in line with the department's strategic objectives and the leave must have been applied for and approved at the beginning of the relevant academic year.

6.5 Block Attendance:

- a) 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), may 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 will be granted to the employee.

Other

- b) Where necessary, three (3) days special leave 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 department.
- c) Research work and/or writing an essay or a thesis for a postgraduate qualification,
- d) Attendance of a preparatory course with a view to sit for a qualifying examination in order to obtain admission to a particular field of study,
- e) Attendance of a self-enrichment course (e.g. flower arranging, interior decorating, etc.) which is the interest of the department, but not paid for by the department.
- f) This provision may be applied once only in cases where a person does preparatory and research work with a view to writing a re-examination or an examination in respect of a study course which he/she failed and had to repeat.

6.6 Scholarship:

- a) The Superintendent General may grant an employee special leave with full pay to study through scholarship. The duration of the leave will depend upon scholarship.

6.7 Attendance of Classes During Working Hours:

- a) An employee who studies part-time or by means of correspondence at a recognized educational institution and who, as a result of his/her studies is required to attend classes during working hours may be released from duty on condition that he/she takes a day's vacation leave with full pay or if he/she does not have leave to his/her credit, a day's vacation leave without pay for every full sixteen hours he / she is so released from duty. In the event that he / she repeats a course or part thereof, he /she may, with the approval of the Superintendent General be released from duty with the reduced number of hours mentioned above to eight.

6.8 Sport participation

- a) Special leave with full pay may be granted to an official or employee when he/she is elected by a recognized amateur sport association to:
 - i. 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
 - ii. Representing South Africa, and not merely a club or province, as a competitor, coach or manager at international sporting events within the Republic, or
 - iii. Accompany a foreign national team visiting the Republic, as a representative of the South African sports association organizing the tour, and
 - iv. Serve as a referee, an official or a judge at an organized amateur sport meeting at international level inside or outside the boundaries of the Republic.
- b) Special Leave with full pay may also be granted to an official or employee when he or she 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.
- c) The following is the procedure for granting this type of Special Leave:
 - i. One (1) day special leave with full pay may be granted for each day vacation leave with full pay which the official or employee takes (i.e. on

a 50/50 basis) provided that the number of days special leave which may be granted per person 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 (i.e. 10 days special leave and 10 days' vacation leave) may therefore be granted.

- ii. When an official or employee desires to take only one (1) day sports leave the official or employee and the department should in turn respectively take one day vacation leave with full pay or grant or grant one (1) day special leave with full pay.
- iii. If the period of sports leave amounts to an unequal number of days, an official or an employee and the State should in turn respectively either take the biggest number of days' vacation leave with full pay and grant the smallest number of days special leave with full pay or vice versa..
- iv. Where an official or employee has no vacation leave to his or her credit special leave referred to in this paragraph cannot be granted to him/her.

d) Subparagraph (ii) applies mutatis mutandis to an official or employee who serves as a referee, official or judge at an organized amateur sports meeting as contemplated in the aforementioned subparagraph.

6.9 Resettlement:

- a) One day special leave with full pay may be granted to an employee who is, transferred from one place of employment to another in order for him/her to:
 - i. Arrange accommodation;
 - ii. Supervise the packing/loading and unpacking/unloading of personal effects
 - iii. Arrange school for children
 - iv. Connect/disconnect water/lights
 - v. Pre-site visit
- b) Special leave for this purpose can only 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 should be taken within one (1) month of physical transfer.

6.10 Quarantine:

- a) Special leave will be granted in respect of periods where an employee who is absent from duty as a result of segregation or isolation on medical instructions, where he/ she was in contact with a person who has contracted or suspected of having contracted an infectious or contagious diseases. 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.

6.11 Miscellaneous:

- a) Special leave with full pay may also be granted to an employee who:
 - i. In the case of a disabled employee, who has to attend a recognized orientation course or a recognized training course in relation to his/her disability status.
 - ii. The area in which he / she 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.
 - iii. When, during an industrial action an employee is absent from duty and his / her absence did not emanate from his /her participation in riots / strike / boycotts, but could be ascribed to the fact that he/she was physically prevented (intimidated) to report for duty, on condition that his/her supervisor confirms the above mentioned circumstances.
 - iv. Attends an interview within the public service and has a proof thereof.
 - v. He/she is arrested or has to appear before a court of law on a criminal charge and he / she is subsequently acquitted or the charge is withdrawn.

6.12 Rehabilitation Leave (Treatment for Substance Abuse)

- a) An employee who abuses alcoholic liquor and/ or drug substances may be granted special leave with a view of rehabilitating him/her in anticipation of further utilizing his/her service. Treatment must 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 must refer the official for rehabilitation.
- c) For the above purpose, special leave with full pay may be granted for the duration of the treatment up to the maximum of nine (90) working days. This

The Superintendent General (SG) shall be a responsible person for administering and enforcing this policy.

8. Accountabilities and Responsibilities

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

8.1. Employee:

- a) To ensure that he/she discuss his/her intentions to apply for leave with his/her supervisor.
- b) To ensure that he/she submits his/her leave application on line, at least two (weeks) before the commencement of leave. ,
- c) To follow up with his/her supervisor on the developments of his/her application.
- d) To ensure that his/her application is approved before he/she goes on leave.
- e) To ensure that all his/her work is completed and reports are submitted before he/she goes on leave.
- f) If there is an acting person is going to be appointed during her absence, an employee must ensure that a necessary handover is done.

8.2 Supervisor & Head of the Directorate:

- a) To recommend and approve the leave application on line
- b) To ensure that an acting delegation is implemented on Social Development Information Management System (SDIMS)
- c) To ensure that the employee has done his/her work before he/she goes on leave.
- d) To ensure that service delivery does not stop while the employee is away.
- e) To ensure that a necessary handover is done before an employee goes on leave.
- f) To ensure transparency, accountability and fairness when handling leave applications.

8.3 Superintendent General:

between the employee and the supervisor relating to the denial of the leave, the next level of the supervisor should be consulted to solve the issue.

- f) For leave types mentioned in paragraph 11.1 (a) to (c) above, all applications must be referred to the SG.

11. Monitoring Mechanisms

The Superintendent General (SG) shall be responsible for the continuous administration and monitoring of this policy and any inputs or amendments to this policy document can be directed to him/her (SG) in writing.

12. Risk Management of the Policy

All the relevant stakeholders in the Department will be consulted so as to market the policy as well as to get buy in and inputs. This will be done to ensure that policy is known, understood and implemented correctly and consistently through out the department by its users so as to minimize risk.

13. Review of the Policy

This policy will be reviewed whenever a need arises e.g. a change in legislation or national mandate has been given or otherwise after three (3) years from the date of its approval.

14. Policy Recommendation and Approval

Recommended/ ~~Not Recommended~~



Superintendent General
Dept. of Social Development

09/05/2017.
Date

Approved/ ~~Not Approved~~



Member of the Executive Council (MEC)
Dept. of Social Development

24/07/2017
Date

under annual mts.
See the covering letter

Appendices

21/09/11	Head Office/Provincial Office	To build rapport, convey intentions, ask for feedback/input/ buy-in, provide information, build credibility and for transparency.
-----------------	-------------------------------------	---

21/09/11	Head Office/Provincial Office	To build rapport, convey intentions, ask for feedback/input/ buy-in, provide information, build credibility and for transparency.
----------	-------------------------------------	---