

ANNUAL LEAVE

Leave Entitlement

Permanent and contract employees are entitled to annual leave as per their letter of appointment, at a minimum of twenty (20) working days per year. Stipend employees and employees on fixed term contracts are entitled to fifteen (15) working days per year.

Annual Leave Cycle

The leave cycle commences on the employment date with the Afrika Tikkun Services and each subsequent anniversary of that date.

NOTE: An employee in his/her 1st year of service is eligible only for leave which has been accrued. This is in the case of an employee who wishes to take leave before the completion of twelve months' service. Leave accrues to the employee on a monthly basis.

Leave Application

- The Afrika Tikkun Services leave application form to be completed.
- Line Manager to approve and forward relevant form to Payroll for processing and then to HR for updating on the Soweto care system and for filing.
- Applications for leave of less than five days are to be made with at least two weeks' notice prior to the start of leave. Applications for leave of five days or more are to be made with a least one month's notice.
- Leave will in most cases be taken at the mutual convenience of both Afrika Tikkun Services and the employee.

Accumulation of Annual Leave

A maximum of ten (10) working days can be accumulated into your new leave cycle, any excess additional leave that has been accumulated shall be forfeited. No employee shall be allowed to accumulate more leave than this unless preauthorisation in writing is obtained from the Line Manager and Senior Manager in consultation with the HR Manager.

Basic Conditions of Employment Act (BCEA)

In terms of this Act, all employees are required to take ten continuous working days annual leave per annum.

Casual Workers

Are entitled to 1 day's annual leave for every 17 days worked. **Cash in lieu of leave**

Afrika Tikkun Services will NOT pay cash in lieu of leave as legislated in the Basic Conditions of Employment Act, 1997.

Recall from Leave

Should an employee be recalled from leave, a new leave form must be completed with the correct amount of leave days actually taken reflected on the form.

Leave Planning

The scheduling of leave to be taken is the responsibility of the Line Manager. Operational needs will take precedence over leave to be granted. No employees may take leave on the days during which the strategic planning process is conducted.

Annual closing

Should any department/ centre of the Afrika Tikkun Services close between Christmas and New Year, the days during this period, excluding public holidays, will form part of the employee's annual leave entitlement. Only a maximum of negative (-) 5 days will be allowed to be carried into the New Year. Any negative leave more than the negative (-) 5 days will be deducted as unpaid leave for that specific month.

Leave Payment on Termination of Service

- When an employee leaves Afrika Tikkun Services under normal circumstances he will be paid out for leave due at the BCEA rate of pay that he is receiving on termination of service. This leave pay is fully taxable.
- Should an employee's service be terminated because of death, leave pay owing will be paid into his/her estate. This leave pay may be paid as a tax free lump sum provided a directive has been obtained from the South African Revenue Services (SARS).
- Should an employee retire, a portion of leave due may be paid out as a tax free lump sum payment subject to limitations as set down by the South African Revenue Services (SARS), which change from time to time.
- Where an employee is retrenched he will be paid out leave due at the rate of pay that he is receiving at the time of his/her retrenchment. This leave pay may be paid as a tax free lump sum provided a directive has been obtained from the South African Revenue Services (SARS).

Procedure:

Leave Application

- Completed, approved leave application form for annual leave is to be submitted to the employee's Line Manager.

Applications for leave of less than five days are to be made with a least two weeks' notice prior to the start of leave. Applications for leave of five days or more are to be made with a least one month's notice. This is the responsibility of the person approving the leave.

- The Line Manager will keep accurate records of leave taken.
- Leave forms must be forwarded to the Operations Department and will be filed in each employee's file.
- Leave will in most cases be taken at the mutual convenience of both the Afrika Tikkun Services and the employee.

SICK LEAVE

Afrika Tikkun Services adheres to sick leave conditions as laid down in the Basic Conditions of Employment Act of 1997.

The following rules apply:

- In the event of absence from work due to his/her own incapacity, an employee is entitled to paid sick leave of thirty (30) days during each 3-year cycle.
- During the first year of employment an employee is entitled to only 1 day of paid sick leave for each completed 26 days worked.
- The Afrika Tikkun Services may, as a condition precedent to the payment of sick leave, require an employee to produce a doctor's certificate stating the nature and duration of the employee's incapacity, in respect of: Absence for more than 2 consecutive workdays.
- Absence on the workday immediately preceding or the workday immediately succeeding a Saturday, Sunday or a public holiday. If an employee has, during any period of up to 8 weeks, received payment for sick leave on two or more occasions without producing a valid doctor's certificate, the Afrika Tikkun Services may require the employee to produce a doctor's certificate for any absence incurred during the subsequent 8 weeks.
- Incapacity for paid sick leave purposes means the inability to work owing to the employee's own sickness or injury, not caused by his/her own misconduct.
- An employee must complete a leave form and attach the necessary doctor's certificate. This is to be authorised by the Line Manager.
- As sick leave works in cycles and each employee has a different cycle operating, it is difficult to monitor when an individual has exceeded his/her sick leave entitlement. Thus this sick leave entitlement must be checked prior to paying an employee for days not worked due to illness or incapacity.

Exceptional Circumstances

Should an employee exceed his/her sick leave limit, the CEO may extend sick leave allowed. Each case will be assessed on merit.

i) Whilst the law allows a pro-rata deduction of excess sick leave during the first year of employment, Afrika Tikkun Services generally regards each of these cases on merit.

There may be occasions where Afrika Tikkun Services sees fit to pay for the excess sick leave and there is, therefore, a discretionary aspect to this situation, e.g., a highly satisfactory employee who has been with the Afrika Tikkun Services for 6 months and undergoes an emergency appendix operation may have 2 – 3 weeks away as a result. Afrika Tikkun Services may want to pay the excess amount because of the employee's good performance, punctuality, loyalty, etc.

ii) It may transpire that an employee is sick for 4 days after only 10 weeks of employment. In this instance, 2 of the days will be paid and the other 2 unpaid, as the employee has not had sufficient service with Afrika Tikkun Services to qualify for the full 4 days as paid sick leave.

iii) Should an employee be injured on duty, the time off work will be regarded as sick leave. Each case will be reviewed on merit.

iv) Should an employee go home sick before four hours of work have been completed, a full day's sick leave must be taken. Should an employee go home sick any time after four hours work has been completed, a half-day's sick leave must be taken.

Unpaid Leave

- Unpaid leave for an employee who wishes to take extended leave may be granted in certain cases at the discretion of the Line Manager.
- Should an employee extend his/her leave or take the day off without prior consent, such absence will be regarded as unpaid leave or short-time, and the employee's salary will be adjusted accordingly on the next pay-day.

Study Leave

Study leave may be granted in addition to annual leave for employees to prepare and write examinations. Please refer to the Study Policy for study leave terms and conditions.

Family Responsibility Leave

Employees who have been in the employ of the Afrika Tikkun Services for longer than four months may be granted up to three days family responsibility leave on full pay.

At the request of the employee, three (3) day's paid leave can be taken when their child is sick (younger than 18 years of age).

Afrika Tikkun Services may request reasonable proof of an event for which the leave is or was required. e.g. sick note from child's doctor. Family responsibility leave cannot be accrued nor can it be taken in advance.

If family responsibility leave is not used it is forfeited at the end of each annual leave cycle.

Religious leave

Employees will be entitled to apply for religious leave according to the S.A. National calendar. This leave will be deducted from the annual leave.

Leave to Consult Traditional Healers

Afrika Tikkun Services recognises the role of the Traditional Healer in broader society. Employees wishing to consult traditional healers may do so. The same conditions apply as to sick leave. Employees must produce relevant sick notes from their Traditional Healer for any absence.

Maternity Leave

In terms of the Basic Conditions of Employment Act, an Employee is entitled to four months' unpaid Maternity Leave during which her security of employment is protected. Afrika Tikkun Services entitles an employee to four (4) month's paid maternity leave on condition that she has been permanently employed for one year or longer at the time of confinement; Fixed-Term contractors do not qualify for paid maternity leave, and will only be eligible for unpaid maternity leave. A woman may not work for six weeks after the birth of a child, unless agreed to by her doctor.

A pregnant employee may at the discretion of management in exceptional circumstances apply for six (6) consecutive months' maternity leave during which her security of employment is protected.

Line Managers must ensure that all female Employees are informed of their entitlement to statutory maternity rights and to ensure that those rights are understood by qualifying employees.

When an employee returns to work she will receive the same salary and benefits she had prior to commencing Maternity Leave. No employee will be dismissed on the grounds of pregnancy, nor any reason connected with pregnancy. No employee will be retrenched while on Maternity Leave.

Paid Maternity Leave

The employee will be entitled to the following benefits:

- Afrika Tikkun Services will contribute 66% of the employee's salary and UIF will contribute the remaining amount of the employee's salary. The onus lies with the employee to apply for the UIF Maternity benefit
- retains continued permanent Employee status - where possible her position will only be filled by a temporary Employee
- remains a continued member of the Pension/Provident Fund and Medical Aid - contributions will continue on the same basis as prior to paid Maternity leave
- is entitled to a Performance Bonus and salary review should these be calculated and awarded during her absence
- If you apply for six months maternity leave and have been employed for one year or longer, the 2 extra months will be considered as unpaid leave

Paid Maternity Leave will be considered as continuous service for long service purposes and for the accumulation of Annual Leave.

The employee will be lawfully indebted to Afrika Tikkun Services if she leaves the Company within four months of returning to work, for the full amount paid to her by Afrika Tikkun Services while she was on paid Maternity Leave. Annual leave, sick leave and bonus entitlements will accrue during any period of unpaid leave.

Miscarriage or stillbirth

In the case of stillbirth or miscarriage from 24 weeks of pregnancy an employee will be granted six weeks paid Maternity Leave.

Procedure

- An Employee must submit an application for Maternity Leave on the standard Leave Application Form at least three months in advance of the commencement of the leave. She must indicate if she wants to take Extended Maternity Leave. The Maternity Leave Contract must be discussed with her Head of Department. This must be submitted with a Doctor's note indicating the expected due date.
- A Maternity Leave Contract must be signed.

Paternity Leave

In line with Labour Laws Amendment Act an employee is entitled to 10 day's parental leave upon the birth of the employee's child. The ten days are consecutive days not working days. Parental leave may also be applicable in circumstances where an employee legally adopts a child or when a child is placed by a court in the care of a prospective adoptive parent.

Overtime Leave

Employees who work overtime are given time off in lieu of the overtime worked. Management to keep overtime records.

Compassionate Leave

Compassionate leave encompasses extraordinary needs for leave such as during the bereavement of immediate family.

Compassionate leave may be paid or unpaid at the discretion of the Line Manager.

The general guideline is that up to 3 working days paid leave per annum may be taken at the discretion of the Line Manager. These are as follows:

In the event of the death of:

- The employee's spouse/life partner. Life partner will include, a common law husband or wife, or the employee's partner living with him/her.
- The employee's parents, adoptive parents, grandparents, child, adopted child, grandchild and sibling.

An employee requiring compassionate leave should discuss the matter with their Line Manager who will then communicate back to the employee.

I,, accept / decline the Conditions of Employment as set out above.

_____ **DATE** _____ **SIGNATURE**