

CENTRAL KAROO DISTRICT MUNICIPALITY

OVERTIME POLICY

25 MAY 2017

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1. OBJECTIVE:

- 1.1. The objective of this document is to provide additional guidelines for the administration of overtime as required by the Basic Conditions of Employment Act (Section 10) and the SALGBC Western Cape Collective Agreement (Section 12). The purpose of this policy is to provide the guidelines regarding the overtime policy for employees of the municipality. The working of overtime is subject to very strict control measures and therefore only staff in a supervisory capacity who has been given written permission by his/her Director, shall be entitled to approve the performance of any overtime by subordinates. This authorisation shall be withdrawn in any suspected case of irregular or misuse thereof, without having to be given reasons for such withdrawal.

2. DEFINITION

- 2.1. **“Overtime”** means the time that the employee works during a day or week in excess of the employee’s ordinary hours of work.
- 2.2. **“Emergency work”** refers to work that must be done without delay because of circumstances for which the employer could not reasonable have been expected to make provision and which cannot be performed by employees during their ordinary hours of work. Emergency work excludes the performance of routine maintenance work outside normal working hours.
- 2.3. **“Unstructured overtime”** is programmed/planned overtime over which the employer has control and **for which prior approval is required** that continue or take place **after normal working hours**;
- 2.4. **“Structured overtime”** is where payment is compulsory in terms of the BCEA due to **Sundays and public holidays**. Structured overtime is exclusively for shift workers.
- 2.5. **“Earnings”** refer to the retirement funding income or the basic salary for the post whichever is applicable.

3. SCOPE AND APPLICATION

- 3.1. Senior managerial employees, as defined in the Basic Conditions of Employment Act, as well as Employees earning more than the overtime earnings threshold provided for in the Basic Conditions of Employment Act, do not qualify for any overtime payment or time off in lieu of overtime.
- 3.2. Employees earning less than the overtime earnings threshold provided for in the Basic Conditions of Employment Act, will, subject to the provisions of this Policy, be remunerated for overtime or be given time off in lieu of overtime worked at the rates provided in the Basic Conditions of Employment Act. The approving authority and the employee involved to agree beforehand on payment or time off for overtime work.

4. GENERAL

- 4.1. Overtime work is subject to the provisions of the Basic Conditions of Employment Act, 1997, any applicable Collective Agreement and the provisions of this Policy.
- 4.2. Overtime work is subject to prior written approval by a competent authority and no overtime may be worked without such **written approval being obtained**, except in cases of work related to emergency situations as defined in 2.2. For emergency overtime the competent authority may give verbal approval to the working of such overtime provided such approval is followed-up with a written confirmation within 24 hours. Written standing approval may be granted where justified by operational requirements.
- 4.3. Only officials with delegated authority may approve overtime work and overtime payment.
- 4.4. Overtime only commences after completion of ordinary daily or weekly working hours. If an employee must travel to a place other than her/his normal place of work in order to perform authorised overtime, the time spent on the journey shall count as overtime work.
- 4.5. Employees on standby in terms of clause 12 of the Collective Agreement shall receive overtime payment when called out irrespective of the statutory threshold (Collective Agreement 12.5). Overtime for the latter group starts from the time of call out.
- 4.6. No overtime can be claimed should an employee work short time on a specific day. A full day's work (normal working hours and a lunch break of at least 30-minutes) must first be worked before such employee is eligible for overtime.
- 4.7. No overtime will be paid for attendance of functions/prize giving, etc. by personal invitation except in cases of compulsory attendance as official representative of the Municipality provided that such employee qualifies for overtime in terms of this Policy and provided further that such overtime is authorized in advance by the Municipal Manager or his assignee.
- 4.8. The Municipality will provide an employee with a meal limited to an amount as determined by the Municipal Manager or his assignee when an employee is expected to work overtime during an emergency situation and when such emergency overtime work continues for more than three hours after the employee's ordinary working hours.
- 4.9. Where overtime in emergency situations cause an employee to work past midnight on a day, the employee will be entitled to a paid break of at least 8 hours before the employee is required to report for normal duty;
- 4.10. **An employee may not work more than 4 hours overtime per day and/or 10 hours per week, except in the case of emergencies. A Collective Agreement may increase the maximum permitted overtime to 15 hours a week (This arrangement may not apply for more than 2 months in any period of 12 months) (Section 10 of BCEA).**

5. TIME OFF IN-LIEU OF OVERTIME

- 5.1. Leave/time off in lieu of overtime be granted only for unstructured and approved overtime;
- 5.2. Application for time off in lieu of overtime must be done on a prescribed application form;
- 5.3. Time off in lieu of overtime can not be en-cashed except on termination of services provided such time is valid;
- 5.4. Time off in lieu of overtime must be taken within 6 months from date of accrual. Time off not taken within 6 months will be forfeited. Time off to be forfeited may, for operational reasons, be extended to a maximum of 12 months by the Municipal Manager.

6. OVERTIME WORK ON PUBLIC HOLIDAYS

6.1. Payment or time off to eligible employees for overtime work on public holidays will be dealt with in terms of the Basic Conditions of Employment Act.

7. OVERTIME WORK ON SUNDAYS

7.1. Payment or time off to eligible employees for overtime work on a Sunday will be dealt with in terms of the Basic Conditions of Employment Act.

8. ADMINISTRATIVE MEASURES FOR MANAGING AND CONTROL OF OVERTIME.

8.1. **Each Director is responsible and accountable to constantly monitor and review the provisions for overtime on his/her budget and to ensure that trends are noted early; funds are adequate; over expenditure is noted, justified and provided for timeously.**

8.2. Each Director is responsible and accountable to provide the Finance Department with a list of officials or representatives (name, signature, cost centre) who are authorized in terms of the delegated powers to approve overtime work and overtime payment. It is the responsibility of each Director or his assignee to update and maintain the information in the list. The authorizing bodies must determine whether the information on the overtime form is accurate and correct before they authorize the form for payment.

8.3. The Finance Department or any other body or person authorizing overtime payment is responsible to ensure that all payments for overtime are duly authorized by a competent authority. The Finance Department is specifically responsible to compare the overtime forms' signatures with the authorization list provided.

8.4. Attendance registers/time sheets, which should indicate starting and ending times, must be kept for all employees who qualify for overtime payment or time off in terms of this Policy. Attendance registers/time sheets serve as source documents to complete overtime sheets.

8.5. **Overtime worked must be reflected on the employee's attendance register/time sheet. Line managers and/or supervisors are responsible to monitor and sign attendance register/time sheets on a monthly/weekly basis.**

9. PAYMENT

9.1. Overtime may be remunerated either in monetary terms or by means of time off in lieu of overtime worked.

9.2. Where overtime is worked by an employee earning below the earnings threshold of the BCEA and such an employee elects to take time-off in lieu of payment for overtime worked, such employee will be granted paid time off, calculated at **1.5 times the number of hours worked by the employee.**

9.3. Payment of overtime shall be done at the rate of pay when the overtime was worked.

10. IMPLEMENTATION OF THE GUIDELINES

Date implemented by Council:

**VOORAF GOEDKEURING VIR BEPLANDE OORTYDWERK /
APPROVAL BEFOREHAND FOR PLANNED OVERTIME WORK**

| | |
|--|--|
| Oortyd teen betaling Overtime for payment <i>(1,5 times normal wage)</i> | Aftyd vir oortyd werk Leave in lieu of overtime |
|--|--|

(Dui met 'n X die regte blokkie aan / Please mark the right block with a X)

**OORTYD SAL NIE UITBETAAL WORD AS DAAR NIE VOORAF GOEDKEURING VERKRY IS NIE
OVERTIME WILL NOT BE PAID OUT IF APPROVAL HAS NOT BEEN OBTAINED BEFOREHAND**

| Naam van Werknemer Name of Employee | Personeel Nommer Staff Number | Posbenaming Job Designation | Posvlak Post Level |
|--|--|---------------------------------------|-----------------------|
| | | | |
| | | | |
| | | | |
| Direktoraat Directorate | IS BEGROOT VIR OORTYD? WAS OVERTIME BUDGETED FOR? | | Dorp Town |
| | YES R..... | Bedrag beskikbaar Amount available | NO |

AANSOEKER APPLICANT
HANDTEKENING / SIGNATURE **DATUM/DATE**

Aanvraag om oortyd te werk / Request to work overtime

(Jy mag nie meer as 4 ure oortyd 'n dag werk, of 10 ure per week nie)
(You are not allowed to work more than 4 hours overtime per day, or 10 hours per week)

| | |
|--|--|
| Datum waarop oortyd gewerk moet word, en van hoe laat af? <i>Date when overtime must be worked, and from what time?</i> | |
| Hoeveel tyd is nodig om die werk te voltooi? <i>How much time is required to complete the work?</i> | |
| Verduidelik asseblief watter werk gedoen moet word? / Please explain what work must be done? | |
| | |
| | |
| Hoekom kan hierdie werk nie gedurende gewone kantoor-ure gedoen word nie? Why can this work not be performed during normal working hours? | |
| | |
| | |
| GOEDKEURING VAN OORTYD / APPROVAL OF OVERTIME | |

.....
DIREKTE TOESIGHOUER / DIRECT SUPERVISOR

Datum/Date.....

.....
DIREKTEUR / DIRECTOR

Datum/Date.....

**OORTYD BEKRAGTING TYDENS BYSTAND/NOODSITUASIES
OVERTIME CONFIRMATION DURING STANDBY/EMERGENCIES**

INDIEN NOODSITUASIES PLAASVIND, MOET BEKRAGTING BINNE 48 UUR NADAT OORTYD GEWERK IS, VERKRY WORD

IN THE EVENT OF EMERGENCIES, CONFIRMATION MUST BE OBTAINED WITHIN 48 HOURS AFTER OVERTIME WAS WORKED

| | | | |
|--|--|--|--|
| Oortyd teen betaling Overtime for payment <i>(1,5 times normal wage)</i> | | Aftyd vir oortyd werk Leave in lieu of overtime | |
|--|--|--|--|

(Dui met 'n X die regte blokkie aan / Please mark the righ block with a X)

| Naam van Werknemer Name of Employee | Personeel Nommer Staff Number | Posbenaming Job Designation | Posvlak Post Level |
|--|--|---------------------------------------|----------------------------|
| | | | |
| | | | |
| | | | |
| Direktoraat Directorate | IS BEGROOT VIR OORTYD? WAS OVERTIME BUDGETED FOR? | | Dorp Town |
| | YES R..... | Bedrag beskikbaar Amount available | NO |

AANSOEKER APPLICANT
HANDTEKENING / SIGNATURE **DATUM/DATE**

Aanvraag om nood oortyd te werk / Request to work emergency overtime

| | |
|--|--|
| Datum waarop oortyd gewerk moes word, en van hoe laat af? <i>Date when overtime had to be worked, and from what time?</i> | |
| Hoeveel tyd was nodig om die werk te voltooi? <i>How much time was required to complete the work?</i> | |
| Verduidelik asseblief watter werk gedoen moes word? Please explain what work had to be done? | |
| | |
| | |
| | |
| | |
| GOEDKEURING VAN OORTYD / APPROVAL OF OVERTIME HANDTEKENING / SIGNATURE | |

.....
DIREKTE TOESIGHOUER / DIRECT SUPERVISOR

Datum/Date.....

.....
DIREKTEUR / DIRECTOR

Datum/Date.....

DEPARTEMENT TEGNIESE DIENSTE

VOORAF GOEDKEURING VIR BEPLANDE OORTYDWERK / APPROVAL BEFOREHAND FOR PLANNED OVERTIME WORK

| | | | |
|--|--|--|--|
| Oortyd teen betaling Overtime for payment | | Aftyd vir oortyd werk Leave in lieu of overtime | |
|--|--|--|--|

(Dui met 'n X die regte blokkie aan / Please mark the right block with a X)

OORTYD SAL NIE UITBETAAL WORD AS DAAR NIE VOORAF GOEDKEURING VERKRY IS NIE
OVERTIME WILL NOT BE PAID OUT IF APPROVAL HAS NOT BEEN OBTAINED BEFOREHAND

| Naam van Werknemer Name of Employee | Personeel Nommer Staff Number | Posbenaming Job Designation | Posvlak Post Level |
|--|----------------------------------|--------------------------------|-----------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Aanvraag om oortyd te werk / Request to work overtime

OORTYDSKEDULE / OVERTIME SCHEDULE

| DATUM VAN DATE FROM | DATUM TOT DATE TO | AREA | EKSTRA TYD PER DAG EXTRA TIME PER DAY | OPMERKINGS REMARKS |
|------------------------|----------------------|------|--|-----------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Hoekom kan hierdie werk nie gedurende gewone kantoor-ure gedoen word nie?
Why can this work not be performed during normal working hours?

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| |
| |

GOEDKEURING VAN OORTYD / APPROVAL OF OVERTIME

.....
DIREKTE TOESIGHOUER / DIRECT SUPERVISOR

.....
DIREKTEUR / DIRECTOR

Datum/Date.....

Datum/Date.....

(reviewed by Technical Services on 20.1.2016)