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**OVERTIME, STAND-BY, SHIFT AND
NIGHT WORK ALLOWANCE POLICY**

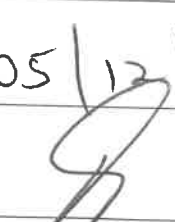
Policy Adoption Date:	13 DECEMBER 2018
Resolution Number:	C/05/12/14
Authorised Signature:	

Table of Contents

1	DEFINITIONS	3
2	LEGISLATIVE FRAMEWORK	3
3	OBJECTIVES	3
4	APPLICABILITY	4
5	OVERTIME	4
5.1	OVERTIME CONDITIONS	4
5.2	PAYMENT OF OVERTIME	4
5.3	TIME OFF IN-LIEU OF OVERTIME	5
5.4	ADMINISTRATION AND CONTROL OF OVERTIME	5
6	STAND-BY ALLOWANCE	6
6.1	STANDBY CONDITIONS	6
6.2	PAYMENT OF STANDBY ALLOWANCE	6
7	NIGHT WORK ALLOWANCE	7
7.1	NIGHT WORK CONDITIONS	7
7.2	PAYMENT OF NIGHT WORK ALLOWANCE	7
8	SHIFT WORK ALLOWANCE	8
9	EMERGENCY WORK	8
10	POLICY REVIEW	8
11	ROLES AND RESPONSIBILITIES	8

1 DEFINITIONS

- **Emergency work** means any work to be done without delay in respect of the interruption of essential services, arising from fire, an accident, a mishap, a storm, an epidemic, an act of violence, failure of equipment or machinery or any other unforeseen event. Emergency work excludes the performance of routine maintenance work outside normal working hours.
- **Night Work** means work performed between 18h00pm and 06h00am the next day.
- **Overtime** means the time worked by an employee which is in excess to the employee's ordinary hours of work.
- **Shift allowance** means a non-pensionable allowance which is payable to employees who do shift work on a regular basis.
- **Stand-by service** means the period determine by the employer during which an employee shall be on the alert for a call-out in the event that they are required to present themselves for duty.
- **Structured overtime** means planned and/or programmed overtime determined and/or approved by the employer including Council, Committee and official meetings of which minutes are to be kept that continues or scheduled after normal working hours.

2 LEGISLATIVE FRAMEWORK

This policy is established within the framework of the following legislation and regulations:

- The Basic Conditions of Employment Act, 1997 (Act no 75 of 1997)
- Labour Relations Act, 1995 (Act No. 65 Of 1995)
- Municipal Systems Act 32 of 2000
- All collective agreements as amended from time to time, concluded in the South African Local Government Bargaining Council (SALGBC)

3 OBJECTIVES

To provide guidelines for the administration and remuneration of overtime, shift, night and standby work as provided for in the applicable legislation and Collective Agreements.

4 APPLICABILITY

- 4.1 This Policy is applicable to all employees of the Municipality excluding:
- The Municipal Manager.
 - Section 56 Managers and other Managers reporting directly to the Municipal Manager.
 - Employees who work less than 24 hours in a month.

5 OVERTIME

5.1 Overtime conditions

- 5.1.1. An employee may be required for operational reasons to work overtime, provided that such employee qualifies for overtime in terms of this policy.
- 5.1.2. Overtime work should be approved by the manager or his / her nominee and no overtime work may be done without written approval except in cases of emergency work.
- 5.1.3. Overtime commences after the completion of ordinary daily or weekly working hours. Overtime shall be claimed for actual hours worked excluding travel time.
- 5.1.4. No overtime will be paid for attendance of functions/ events/ prize giving etc except in cases of compulsory attendance as official representatives of the municipality subject to the employee qualifying for overtime in terms of this policy and provided that the overtime is approved and authorised.
- 5.1.5. An employee may be required to work structured overtime as part of the employment contract.

5.2 Payment of Overtime

5.2.1 Monday to Friday

Overtime hours worked between Monday and Friday will be calculated at a normal hourly rate of pay.

5.2.2 Saturday

Overtime hours worked on Saturday will be calculated at pay rate of 1.5 x normal hourly rate of pay.

5.2.3 Sundays and Public Holidays

Overtime hours worked on Sunday or on a Public Holiday will be calculated at a rate of 2 x normal hourly rate of pay.

5.3 Time off in-lieu of overtime

The employer may grant time off as compensation for overtime worked subject to:

- a) An agreement and approval of the leave / time off in lieu of overtime
- b) Leave / time off in lieu of overtime cannot be cashed or paid

5.4 Administration and control of overtime

- 5.4.1. Overtime claims must be completed on the prescribed forms and authorised by the manager or nominee.
- 5.4.2. The manager and / or nominee must determine the accuracy and correctness of the information on the overtime claim form before authorising the form for payment.
- 5.4.3. Attendance registers which should indicate starting and ending times of overtime worked, must be kept for all employees who qualify for overtime payments in terms of this policy.
- 5.4.4. Overtime worked must be reflected on the employee's attendance register / time sheet/ pre-authorisation / exception reports. Line managers and / or Supervisors should monitor attendance registers/ time sheets/ exception reports.
- 5.4.5. The individual responsible to authorise an employee's overtime must ensure that all payments for overtime are duly authorised by the Director / Head of Department.
- 5.4.6. Each Director / Head of Department is responsible and accountable to monitor and review the provisions for overtime in their budget allocations to ensure proper tracking of overtime expenditure.
- 5.4.7. Records of overtime worked must be kept and relevant data collected and analysed to determine overtime trends for each department. Continuous overtime of competent staff can be an indication of unfair workload allocations and record keeping analysis will enable the development of appropriate workload allocations.

6 STAND-BY ALLOWANCE

6.1 Standby Conditions

- 6.1.1. Persons providing essential services will required to do standby duty from time to time during which the person must be available should their services be needed.
- 6.1.2. An employee must be authorised by the manager or his/ her nominee to be eligible for stand-by allowance payment.
- 6.1.3. An employee shall be eligible for stand-by allowance calculated in accordance to the Collective Agreements.
- 6.1.4. When an employee is placed on stand-by, it is expected that s/he will be within a reasonable radius that will enable him/ her to be readily available for duty when called out.
- 6.1.5. Should the employee on stand-by duty not be called out s/he will still be eligible for stand-by allowance payment as determined in accordance to the Collective Agreement.
- 6.1.6. In the event that an employee is called out after his / her normal working hours s/he shall become entitled to an overtime rate calculated in accordance to this policy for hours worked and (plus) also be eligible for stand-by allowance in accordance to the Collective Agreements.
- 6.1.7. The standby allowance shall not affect or affected by any remuneration for overtime worked by the employee.
- 6.1.8. Nominated Fire Fighters shall be paid according to the hours of work at the standard rate plus stand-by allowance in accordance to the Collective Agreements.

6.2 Payment of standby allowance

- 6.1.9. The standby allowance shall be calculated based on the daily salary rate of the employee.

a) Formula:

Annual Salary = daily salary

250

Daily Salary = daily standby allowance

8

6.1.10. If the employee is required to standby on Saturdays, the employer shall pay the employee one and half times the normal standby allowance rate.

6.1.11. If the employee is required to be on standby on Sunday and on a Public Holiday, the employee shall be paid double the amount of the normal standby allowance rate.

7 NIGHT WORK ALLOWANCE

7.1 Night work conditions

7.1.1. Night work is applicable to an employee who is required to work some or all of his / her work duty hours between 18h00pm and 06h00am the next day.

7.1.2. The municipality shall ensure that transportation is available for night work employees between their place of residence and the workplace at the commencement and conclusion of the night work hours.

7.1.3. An employee who works at night shall be paid a night work allowance.

7.1.4. The municipality must inform the employee in writing if it is required that the employee work on a regular basis at night between 18h00pm and 06h00am the next day.

7.1.5. An employee paid a night work allowance shall not be entitled to a shift work allowance.

7.1.6. Night work allowance shall not be paid to employees whose salary is a minimum and above of R172 000 per annum.

7.2 Payment of night work allowance

7.2.1. The night work allowance shall be a maximum of 12% of the employee's hourly rate, which is paid pro-rata based actually completed night work hours.

a) Formula

Annual Salary = daily salary

249

Daily salary = hourly rate

8

Hourly rate x 12% = hourly night work allowance

- 7.2.2. If the employee is required to work at night on Saturdays, the employer shall pay the employee one and half times the normal night work allowance rate.
- 7.2.3. If the employee is required to work at night on Sunday and on a Public Holiday, the employee shall be paid double the amount of the normal night work allowance rate.

8 SHIFT WORK ALLOWANCE

- 8.1. A shift allowance will be paid to an employee who is involved in continuous process work where operations are running on a 24 hours 7days a week system. This will include emergency / essential services employees.
- 8.2. A non-pensionable allowance of 10% of the employees' basic monthly salary shall be paid on a monthly basis.
- 8.3. Employees who receive a shift allowance are not entitled to night allowance.
- 8.4. If the employee's shift falls on a Sunday and on a Public Holiday, the employee shall be paid double the amount of the normal shift work allowance rate.

9 EMERGENCY WORK

- 9.1. Emergency personnel shall work for a 45 working week
- 9.2. An emergency work employee may be required to perform emergency work that cannot be performed during normal working hours.
- 9.3. Any additional hours of work over and above the 45 hours per week shall be deemed to be overtime and shall be remunerated as indicated in this policy.

10 POLICY REVIEW

This policy will be reviewed as per the review processes of the Bargaining Council Collective Agreement reviews on employee wages and benefits.

11 ROLES AND RESPONSIBILITIES

The Municipal Manager or his / her nominee accept overall responsibility for the implementation and monitoring of the policy.