

DRAKENSTEIN MUNICIPALITY

OVERTIME POLICY

APPROVED BY COUNCIL

05 MAY 2009

**DRAKENSTEIN MUNICIPALITY
OVERTIME POLICY
REVIEWED**

1 PURPOSE

To create a clear and easily understandable document guiding management and officials with regard to the operational implementation of uniform/standardized overtime practices which are in line with relevant employment legislation, collective agreements and all relevant Council decisions regulating overtime

work.

To sensitise all managers that although overtime work is often necessary and unavoidable in order to meet Council's operational needs, the cost implications need to be taken into account and therefore clear guidelines for overtime are required.

To prevent possible malpractice in respect of overtime work being performed and the relevant remuneration method (money/time-off) thereof.

2.LEGISLATIVE FRAMEWORK.

The legislative framework includes the following:

2.1 Basic Conditions of Employment Act No 75 of 1997 as amended (BCEA)

2.2 Standard Conditions of Service-Government Gazette 15727-13 May 1994

1.3. Relevant previous Council decisions

1.4. All fulltime employees appointed before 1 January 2004 are subject to all three aforementioned sources whilst those employed after 1 January 2004 are only subject to the BGEA and Council Policy.

3. OTHER CONDITIONS THAT APPLY TO ALL EMPLOYEES WORKING OVERTIME

3.1 The total hours worked per day, (normal working hours plus overtime) may not exceed 12 hours per day.

3.2 No employee may work more than 10 hours overtime per week.

3.3 Only per agreement may the above 10 hours be extended to a maximum of 15 hours per week.

3.4 No employee may work more than 40 hours overtime over a four-week period.

3.5 This may also by agreement be extended to 60 hours over a four-week period.

3.6 Overtime in excess of 60 hours over a four-week period is subject to prior approval by Council.

3.7 No employee may work the afore-mentioned maximum hours (60 per month) for more than two months in any period of 12 months.

3.8 Overtime may only be worked if an employee has completed working his/her normal shift per day/week.

3.9 Employees who are qualifying to en-cash their leave, have a choice to take the overtime as special leave, for overtime worked shall not be added to the

employee's normal leave credits or be eligible for encashment, but shall be accumulated in a special register and **has to be utilized within 12 months from the accrued date when it was worked, failure to do so will result in employees forfeiting the overtime worked.**

3.10 All overtime leave must be taken in addition to normal leave.

3.11 Incumbents must take their obligatory 16 days annual leave as leave not taken in the six months following a leave cycle, will be forfeited.

3.12 Time-off for overtime worked cannot be substituted for vacation leave or sick leave.

3.13 All overtime (time-off) not taken at the time of resignation will be forfeited and not paid out, unless a submission has been made to Council for approval of such payment.

3.14 Compressed working weeks as per Section 11 of the BCEA should be considered for some employees to reduce the overtime budget.

3.15 **Special arrangements will be made for emergency services.**

4.1 REMUNERATION FOR OVERTIME WORKED

4.1.1 Only employees earning less per annum than the earnings threshold as promulgated from time to time by the Department of Labour are eligible for overtime payment.

4.1.2 Pre-identified officials listed below who earn in excess of the earnings threshold and who in accordance with previous council decisions, have been identified for payment, will also qualify for overtime payment:

4.1.3 Officials from the Electrical Department;

- o All Superintendents shall include: Senior Superintendents, Superintendents and Assistant-Superintendents

- o Senior Technician

- o Technical assistant

- o Clerk of Works

- o

4.1.4 Officials from the Civil Engineering Services Department

- o All Superintendents shall include, Senior Superintendents, Superintendents and Assistant-Superintendents for the following job categories:

- o All Superintendents Waste Water Works

- o All Superintendents Sewerage Services

- o All Superintendents Water Services

- o All Superintendents Refuse Removal, Refuse Handling and Cleaning Services.

- o All Superintendents Workshops

- o All Superintendents Storm-water

4.1.5 Officials from the Financial Services Department

- o Chief Stocks and Purchases
- o Master of Stores
- o Clerk grade I and II Stores

4.1.6 Officials from the Department of Community Services

- o Cemetery staff
- o Holiday Resorts
- o Paarlberg Nature Reserve
- o Nursery
- o Water trucks

- o Spraying of trees-staff (during August to December)

4.1.7 OFFICIALS ENGAGED IN EMERGENCIES

- o Parks staff
- o Emergency situations (falling trees/plague spraying/burst pipes/power failures.)
- o Traffic
- o Fire

4.18 Payment for overtime worked by the above employees will be subject to prior approval by Council.

4.2 EMPLOYEES EARNING MORE THAN THE THRESHOLD

4.2.1 All employees earning more than the threshold need to work more than 60 hours per month overtime

on a special project, a submission to Council must be submitted for approval before such overtime can be worked and entered into a special leave register kept by the HR Manager for such overtime worked.

4.2.2 All such special leave for overtime worked shall not be added to the employee's normal leave credits or be eligible for encashment, but shall be accumulated in a special register and has to be utilized within 12 months from the accrued date when it was worked.

4.2.4. All employees above the threshold must seek prior approval from their HOD or Level Three Manager for working overtime to qualify for time-off.

4.3 PAYMENT FOR WORK ON SUNDAYS

4.3.1 Employees who do not usually work on a Sunday must get double the normal hourly wage.

4.3.2 Employees who usually work on a Sunday must get 1.5 times the normal hourly wage.

4.3.3. Employees who usually work on a Sunday, but work less than their ordinary shift, must get their normal daily wage.

5. GENERAL

5.1 Prior approval must be granted by the respective HOD/ LEVEL 3 MANAGER for overtime work for all staff, excluding the following:

- o Clerical staff engaged in overtime work due to Council meetings.
- o All other scheduled meetings/ events which staff must attend in their official capacity.
- o Staff required to render standby duties.

5.2.1 Unauthorised overtime-forms should not be processed for payment by the Salaries Section or captured on the system by the Personnel Section as time accumulated, but must immediately be brought to the attention of the HR Manager and the relevant HOD.

5.2.2 Data regarding overtime can only be processed if the Municipal Manager/Relevant HOD/ Section Head's signature appears on the prescribed forms.

5.2.3 Prescribed forms must be used by all staff (see attached Annexure A) for overtime payment and (Annexure B) for accumulation of time-off.

5.2.4 These forms must be submitted on a monthly basis. Forms handed in late (more than six weeks after the date on which the overtime was worked) should not be processed unless the HOD motivates it.

5.2.5 Both Salaries and Personnel Sections must check that the prescripts in paragraph 3 of this policy are adhered to at all times.

5.2.6 The names of those employees who exceed the allowed limits of overtime must be brought to the attention of the HR Manager for possible declining thereof in consultation with the relevant HOD and/or Municipal Manager.

5.2.7. This is also a dual responsibility of the official and his/her supervisor who authorises the overtime work.

5.2.8. Under no circumstances may printouts be requested without the proper channels of communication.

5.2.9. The HOD must request this via the HR Manager or in his/her absence, the Senior Personnel Practitioner must be approached for printouts.

5.2.10 Their print outs must bare the signature of the HR Manager or that of the Senior Personnel Practitioner.

6. This policy will become effective on the date on which it is adopted.

000000000

dsa