

OVERTIME POLICY

PREPARED FOR

SIYANCUMA MUNICIPALITY

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1. DEFINITIONS

- 1.1 **Overtime means** - the time the employee works during a day or week in excess of the employee's ordinary hours of work.
- 1.2 **Emergency work** - refers to work that must be done without delay because of circumstances for which the employer could not reasonably have been expected to make provision and which cannot not be – performed by employees during their ordinary hours of work.
- 1.3 Emergency work excludes the performance routine maintenance work outside normal working hours. Structured overtime be defined as programmed / planned overtime over which the employer has control [including Siyancuma Municipality Committees - an official meeting of which minutes have been kept] that continue or take place after normal working hours;
- 1.4 **Earnings** - refer to the gross salary before deductions.

2. SCOPE AND APPLICATION

- 2.1 To provide guidance in the performance of overtime work by council employees as provided for in the Basic conditions of Employment Act (BCEA)
- 2.2 Top Management, Sect 57, Middle Management (post level 1-3), Divisional Heads, security and disaster management personnel and employees working less than 24 hours per month shall be excluded from overtime payment, or time off in lieu of overtime.
- 2.3 The policy applies to all full time employees of the municipality except those employees earning more than the threshold as provided for in the BCEA or published by the Minister of Labour, unless otherwise agreed. (for 2004 R115 572 – 00)
- 2.4 Employees earning less than the overtime earnings threshold provided for in the BCEA as amended, will, subject to the provisions of this policy, be remunerated for overtime or be given time off in lieu of over time worked at the rates provided in the BCEA, as amended. The approving authority and the employee involved to agree beforehand on payment of time off for overtime work.

3. GENERAL

- 3.1 An employee may for operational reasons, be required to work overtime and any employee appointed into the service must enter into a contract to this effect with Siyancuma Municipality.

- 3.2 Overtime work is subject to the provisions of the BCEA, as amended, and the provisions of this policy. In Case of conflict between this policy and the provisions of the BCEA, as amended, the provisions of the act will prevail.
- 3.3 An employee may not be required or allowed to work for a longer period overtime than 10 hours during any working week and 3 hours on any working day, except in case of work related to emergency situations.
- 3.4 Overtime work is subject to prior written or verbal request by the municipal manager or his assignee and no overtime may be worked without such written/verbal approval being obtained, except in case of work related to emergency situations.
- 3.5 Emergency overtime work, the municipal manager or his/her assignee may give verbal approval to the working of such overtime. Written standing approval may be granted where justified by operational requirements.
- 3.6 Only officials with delegated authority may approve overtime work and overtime payment.
- 3.7 Overtime only commences after completion of ordinary daily or weekly working hours.
- 3.8 Overtime can only be, claimed for actual hours worked, and exclude travelling time.
- 3.9 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-min) must first be worked before such employee is eligible for overtime.
- 3.10 No overtime will be paid for attendance of functions / prize giving, etc

4. REMUNERATION FOR OVERTIME WORKED

Mondays – Fridays

Employees will be:

- * Paid one and a half times the employees ordinary wage for overtime worked

- * Paid not less than the employee's ordinary wage for overtime worked and be granted at least 30 minutes time off on full pay for every hour of overtime worked, (Sect. 10 (3) a of BCEA or
- * Grant at least 90 minutes paid time off for each hour of overtime worked. (Sect 10 (3) b of BCEA

Saturdays

Employees who normally work a five day week will be:

- * Paid one and a half times the employees ordinary wage for overtime worked
- * Paid not less than the employee's ordinary wage for overtime worked and be granted at least 30 minutes time off on full pay for every hour of overtime worked, (Sect. 10 (3) a of BCEA or
- * Grant at least 90 minutes paid time off for each hour of overtime worked. (Sect 10 (3) b of BCEA

Sundays

Employees who normally work a five day week will be:

- * Paid double the employee's ordinary wage for overtime worked
- * Paid not less than the employee's ordinary wage for overtime worked and be granted at least 60 minutes time off on full pay for every hour of overtime worked,
- * Grant at least 120 minutes paid time off for each hour of overtime worked.

Public Holidays

Employees who normally work a five day week will be:

- * Paid double the employee's ordinary wage for overtime worked
- * Paid not less than the employee's ordinary wage for overtime worked and be granted at least 60 minutes time off on full pay for every hour of overtime worked,
- * Grant at least 120 minutes paid time off for each hour of overtime worked.

5. TIME OFF IN-LIEU OF OVERTIME

- 5.1 Leave / time off in lieu of overtime be granted only for structured and approved overtime, subject to paragraph 3.4

- 5.2 Application for leave / time off in lieu of overtime is done on a prescribed application form.
- 5.3 Leave / time off in lieu of overtime cannot be en-cashed.
- 5.4 Leave / time off in lieu of overtime will be forfeited if not taken within 1 month provided that the time within which leave in lieu overtime should be taken before it is forfeited, may, for operational reasons, be extended to a maximum of 6 months by the Municipal Manager [or his / her nominee].

6. ADMINISTRATIVE MEASURES FOR MANAGING AND CONTROL OF OVERTIME

- 6.1 Each Manager 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 so as to prevent over expenditure.
- 6.2 The Pay Office 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.
- 6.3 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.
- 6.4 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.
- 6.5 Employees who work over time need to be allocated with the appropriate resources require performing the overtime work.

MAYOR :

DATE POLICY APPROVED :

04 NOVEMBER 2010

RESOLUTION :
