

Policy No.	
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TITLE:	LEAVE POLICY
CUSTODIAN AREA:	HUMAN CAPITAL
PREPARED BY:	
DATE APPROVED:	
EFFECTIVE DATE:	
APPROVED BY:	

1. CLASSIFICATION OF LEAVE

Leave is classified as follows:

- Annual leave (All Statutory and Accumulative Leave)
- Sick leave
- Special leave
- Family responsibility leave
- Maternity leave
- Unpaid leave

2. LEAVE ENTITLEMENT

With effect from 1 January 2017 the following will apply:

Leave system - Calendar Days

Employees on salary scales 110 - 407:

Annual leave: 35 days per leave cycle

Sick leave: 30 days per annum

The leave of employees on scale 900 (temporary employees) will accumulate as per the Basic Conditions of Employment Act.

3. ANNUAL LEAVE UPTO 31 DECEMBER 2016

(a) Old Leave Days Pool:

These are annual leave days that were accumulated up to 31 December 1999. This pool will be terminated on 31 December 2016.

With regards to the closing down of the Old Leave Days Pool, employees have the opportunity to elect to:

- Convert all of the above days into cash at a rate of 125% (taxable) or;
- Take all or some of the leave or;
- Exercise an option to transfer some or all of the after tax cash value into the SABC Pension Fund or;
- A combination of both.
- When the window period (31 December 2016) lapses and an option was not exercised, the SABC will pay the cash value of the leave at basic salary as at 31 December 2016 with an enhance rate of 125% (taxable) into the Employees bank account during April 2017.

(b) Capped Leave Pool - Previously referred to as the "New Leave Pool"

These are annual leave days accumulated and utilised as from 01 January 2000 with a cut-off up to 31 December 2016, which is currently capped at a maximum of 90 days. The full leave balance in this leave pool may be converted to cash at any point in time except on termination of service (see below for termination rules). The value of this leave is capped at the cash value as at 31 December 2016.

Upon termination of service, the SABC will only pay the value of 45 days of this "Capped Leave Pool" (previously referred to as "New Leave Pool") to employees at the cash value as at 31 December 2016. Employees are therefore

encouraged to ensure that the balance of this leave pool is not more than 45 days upon termination of service.

(c) Revised New Leave Pool Category:

These are annual leave days accumulated and utilised as from 01 January 2017.

The maximum amount of days from this leave pool that may be accumulated is 14 days.

Upon termination of service, the SABC will only pay the value of 14 days of this accumulated "Revised New Leave Pool" category to employees. Employees are therefore encouraged to ensure that the balance in the accumulated leave pool days for the "Revised New Leave Pool" category is not more than 14 days upon termination of service.

4. **CALCULATION OF ANNUAL LEAVE AS PER THE REVISED NEW LEAVE POOL CATEGORY**

With effect from 1 January 2017, the following will apply:

- (a) After the date of employment, annual leave accrues proportionately to completed hours, days and months of service, in terms of paragraph C hereunder.
- (b) Annual leave is credited to an employee monthly in arrears.
- (c) If an employee's services are terminated for any reason whatsoever, annual leave will be credited as follows:
 - (i) Full leave will be credited to an employee who has worked a full month;
 - (ii) One day's leave will be accumulated if the employee has worked for or was entitled to be paid for 17 days in the month but less than a full month;

- (iii) One hour's leave for every 17 hours worked if the employee has worked for or was entitled to be paid for less than 17 days in the month.
- (d) Saturdays and Sundays that fall within a period of leave are taken as part of that leave due to Leave in the SABC being based on Calendar days.
- (e) Public holidays that fall on a weekday within the leave period will not be calculated as part of this annual leave.

5. TAKING OF ANNUAL LEAVE

- (a) An employer must grant an employee at least 21 days' leave in every annual leave cycle ("Statutory leave") or within six months after the end of the annual leave cycle. Employees are entitled to take statutory leave in one consecutive period, (that is 21 consecutive days'), but is not obliged to do so. The annual leave cycle will be from 1 January to 31 December of each year.
- (b) Any occasional leave taken during the annual leave cycle will be subtracted from statutory leave first.
- (c) Employees should submit an application for annual leave at least two weeks before this leave commences, if possible, failing which such leave may be refused.
- (d) An employee who goes on approved leave may not return to work before the full period of that leave has expired, unless he is requested in writing and has agreed or has permission to do so.
- (e) Notwithstanding the above provisions but subject to the employee's agreement having been obtained, annual leave, which has been approved, may be cancelled if working requirements demand such cancellation. The employee must, however, be compensated for any reasonable, quantifiable financial loss that he/she may have suffered as a result of his leave being cancelled by the SABC. The provisions of this section will not be applied in an unreasonable or arbitrary fashion.

- (f) Any absence from work without prior authorisation will be regarded as an offence, unless an acceptable explanation is provided why prior authorisation could not be obtained.
- (g) Employees performing approved outside work (e.g. Non-Executive Directors of an outside Company) must apply for annual leave for the period that they are not at work.
- (h) Employees serving on Boards and related structures outside the SABC may apply for annual leave, provided such service is approved and it is in the interest of the SABC.

6. ACCUMULATION OF LEAVE

- (a) Employees may not accumulate statutory leave (21 days). Employees are obliged to take all statutory leave accumulated during a leave cycle on or before 30 June of the year following the leave cycle. Statutory leave days not taken will be forfeited after 30 June of the year following that leave cycle. Staff members, who could not take their statutory leave prior to 30 June due to exceptional circumstances, may apply for extension up to a maximum of 30 September to their Line Manager and HR. These days have no cash value except if termination of service was prior to leave being taken as per the extended timeline of 30 September.
- (b) No accumulative leave days in excess of 14 days in the "Revised New Leave" category may be accumulated past 30 June of the year following the leave cycle. Staff can either take the leave or convert it to cash prior to 30 June of the year following the leave cycle. Where staff member have a balance of greater than 14 days in accumulative leave in the "Revised New Leave" category on 30 June of the year following the leave cycle, the SABC will automatically pay the cash value of the leave to the employee during the following month through SAP at the rate applicable as at 30 June of that year. This applies to the "Revised New leave" category.
- (c) Leave must be taken at a time convenient to the Corporation. Except in the case of emergencies, at least two weeks' notice of intention to take leave must be given. Absence on leave may not exceed 90 days in a leave cycle, unless

supported by the Line Manager taking into account operational requirements and approved by the GE: Human Resources.

- (d) The Group Executive: Human Resources may, by agreement with the employee concerned, commute accumulated leave to cash for the purpose of settling debts owed to the Corporation by the employee

7. LEAVE AT TERMINATION OF SERVICE

- (a) No employee shall be required or permitted to take annual leave during any period of notice of termination of employment, unless agreement is reached with his/her Line Manager.
- (b) On termination of employment, employees who have accumulated leave will be paid the cash value of their accumulated leave pay upto a maximum of:
 - i. 14 days in the “Revised New Leave Pool Category” at cash value as at date of termination
 - ii. 45 days in the “Capped Leave Pool Category” (Previously referred to as “New Leave Pool”) at the cash value as at 31 December 2016.
 - iii. Ring fenced employees who qualified for the 45 days Head Official leave will be paid out at termination, at the cash value as at date of accrual. The additional 4 days additional annual accumulation (pro-rated if part of the year is worked) to those that qualify, will be based on the cash value at year of accrual.

8. LEAVE GRANTED IN EXCESS

If an employee is granted leave in excess of that to which he is entitled, the leave will be treated as unpaid leave.

9. LEAVE BENEFITS NOT TRANSFERABLE

On the death of an employee, leave benefits may not be paid out to anyone other than the employee’s spouse, dependant/s or estate, except in execution of a court order.

10. SICK LEAVE

- (a) An employee who is absent from work for reasons of illness should notify his immediate supervisor as soon as possible of his absence and the expected duration thereof if known.
- (b) An employee who is absent from work for three or more consecutive days or on more than two occasions during an eight week period is required to submit a satisfactory medical certificate. The certificate must be from a medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professional council established by an Act of Parliament. Where an employee fails to comply, the employee will be required to take annual leave, and if no leave is available, such days may be deducted from the employee's salary and it will be regarded as unpaid leave. The medical certificate does not have to state the reason, but must state the period for which the employee was/will be unfit to perform duties and, if applicable, the day on which duty will be resumed.
- (c) Employees are entitled to accumulate sick leave subject to a maximum of 180 days' accumulated sick leave. Accumulated sick leave has no cash value on termination of service for whatever reason.
- (d) If a period of absence on paid sick leave exceeds a period of 180 days, an employee may take unpaid leave or accrued annual leave, if any. However, special approval may be sought from the employee's line manager at least at Group Executive level for the shortfall in sick leave. For Group Executives additional sick leave, the delegation process of voluntary upward referral must be applied.
- (e) If an employee is temporarily or permanently unable to work because of ill health or injury, the Corporation will follow and apply the Code of Good Practice, Schedule 8 of the Labour Relations Act but through consultation with the Wellness section and its procedures.
- (f) Should an employee be hospitalised or fall seriously ill and is booked off during his scheduled annual leave period, such period will be converted into sick leave

provided that the employee substantiates such hospitalisation or serious illness with satisfactory proof.

11. SPECIAL LEAVE

Special leave, on conditions determined by the Group Chief Executive, delegated to the Group Executive within a particular Division of the occurrence for approval, may be granted to an employee in the following circumstances:

- (a) To sit for an approved or prescribed examination (one working day before the paper is to be written, and the day of the examination). The employee shall first apply for vacation leave, which shall be converted to special leave upon the person's furnishing proof of having passed the subject.
- (b) Should a medical practitioner require an employee to be isolated or quarantined because a member of his family has a contagious or infectious disease.
- (c) For such other purposes as may be approved, except for disciplinary related matters.
- (d) Special Leave requests for scale codes 120 and lower are delegated to Group Executives to sign off provided sufficient supporting documentation is available.
- (e) Special leave requests from Top Management on scale codes 115 and 110 (excluding the GCEO), must be approved by the GCEO, provided sufficient supporting documentation is available.
- (f) Special leave for the GCEO must be approved by the Chairperson of the Board, through the Company Secretary's office, provided sufficient supporting documentation is available.
- (g) In all instances, HR must play an advisory role.

12. FAMILY RESPONSIBILITY LEAVE

- (a) An employee shall be entitled to:
 - i) Seven days' paid leave during each annual leave cycle in respect of the illness of the employee's child/adopted child up to the age of 18 years, spouse or life partner; parents, grandparents and siblings.

- ii) Ten days' paid leave during each annual leave cycle in respect of the death of the employee's spouse or life partner, parent, parent in-law, adoptive parent, grandparent, child, adopted child, grandchild or sibling.

- (h) Family responsibility leave may not be accumulated and unused leave lapses at the end of the annual leave cycle. Such leave has no cash value whatsoever on termination of employment. The employee may take the leave in whole days or in parts of a day. Before granting paid family responsibility leave, the employee must hand in reasonable proof that the event, for which leave is requested, took place.

13. MATERNITY LEAVE

- (a) Where an employee requires maternity leave, the following conditions apply:
 - i) An employee is entitled to seven consecutive months' maternity leave (210 calendar days). Maternity leave must begin at least four weeks before the expected date of birth. These provisions will also apply to adoptive parents where the adopted child is under 12 months of age.
 - ii) The still birth of a child and miscarriage that occurs during the last three months of pregnancy will reduce the maternity leave entitlement from seven to two months. The two months will be on full pay.
 - iii) Where the employee is a member of the pension, group life insurance and medical aid funds, the employee shall maintain the contributions to these funds during absence.
 - iv) Prior to the birth of her child, a pregnant employee shall be entitled to either one day off per month or two hours off per week to attend antenatal clinics without loss of pay. After the birth of her child, an employee shall be entitled to one day off per month or two hours off per week, without loss of pay, to attend post-natal clinics until the child is 12 months old. Proof of visits to these clinics is required.

- v) Annual leave and sick leave shall continue to accrue during maternity leave.
- (b) Paid maternity leave will be granted to an employee as follows:
- i. Maternity leave to be on full pay for the first four months (120 calendar days) thereafter, three months (90 calendar days) leave at 33% of the employee's basic salary will be paid by the SABC to employees.
 - ii) Where a male employee requires paternity leave, 10/ten days' paid leave per child may be taken over a period of six months from the date of birth of the child, provided that the Corporation shall have the right to request documentary proof of paternity.
 - iii) Where a male employee requests paternity leave that is longer than 10 days for various factor (eg wife deceased at child birth), it will be treated as Special Leave and follow the Special Leave approval route.

14. STUDY LEAVE

- a) Study Leave may be granted to all bursars and non-bursars to assist them in the preparation and the writing of their examination as follows:

LEAVE FOR TRAINING

- i. Leave may be granted to Learners to assist them in the completion of Learning Programmes and preparation and the writing of examinations as follows:

Type of Leave	Number of Days	Conditions
Formal Examinations	A maximum of 2 days per examination	<ul style="list-style-type: none"> a) One week day prior to the approved examination day will be granted for preparation purposes, unless the examination day falls on the day following a weekend or public holiday, in which case only the exam day is allowed as per b) below b) One working day for the writing of an approved examination per module. c) If the learner fails the first attempt of an examination, the study leave taken must be converted

Type of Leave	Number of Days	Conditions
		<p>to Annual Leave. Thereafter leave taken for rewriting of subjects will be from annual leave.</p> <p>d) No study leave will be granted for the Assignments, class tests or formative assessments</p> <p>If the exam day is after a weekend or public holiday, then no additional days will be given for study</p> <p>If an employee is writing exams on consecutive days, then 1 calendar days study leave will be awarded for every exam day that is scheduled. However, the same rules will apply if the exams fall after a weekend or public holiday.</p>
Portfolio of Evidence (PoE) Compilation	2 Days per PoE	<ul style="list-style-type: none"> Two working days will be granted per PoE for the compilation and submission of the PoE.
Compulsory Study Schools	Duration of Study School	<ul style="list-style-type: none"> Special leave will be granted to attend compulsory study schools.
Research Studies <ul style="list-style-type: none"> Honours Masters Doctorates 	<ul style="list-style-type: none"> 10 Days 15 Days 20 Days 	<ul style="list-style-type: none"> Special leave will be based on the requirements of the study programme. Consensus must be reached with Line Management as to when such leave is taken.
Sabbatical Leave	As per request	<ul style="list-style-type: none"> Sabbatical leave for study purposes only will only be considered through an approved business case which is supported by the Line Manager and approved by the relevant Group Executive.

Note: In all instances, proof must be submitted for study leave purposes to the line manager.

15. LONG SERVICE LEAVE

- i. Long Service leave cannot be accumulated and has no cash value. It is not added to the employee's leave credits and must be taken during the present or not later than the next leave cycle in which it is awarded. The normal application/authorisation procedure will apply.

- ii. Should an employee fail to exercise such leave within the stipulated time-frame, the leave would be forfeited. This is to ensure that no long term liability exists for such leave.
- iii. For a breakdown of the leave; which is based on an employee's years of service, please refer to the Long Service Award Policy.

16. **UNPAID LEAVE**

The Group Executive of the Division that the employee works in may grant unpaid leave in exceptional circumstances for approved periods. Written applications for unpaid leave should contain a full motivation and the necessary documentary proof.



LEAVE CONTROL PROCEDURES

1. Applications for Leave

1.1 All leave types should be applied for on SAP. In the case of annual leave, an application should be completed at least two weeks before the commencement of leave if possible. Sick leave should be applied for as soon as possible after return to the workplace or in advance where applicable.

1.2 Employees who are absent from work for reasons of illness should notify their immediate superior without delay of their absence and how long they expect to be off work. An employee who is absent from work for three or more consecutive days, or on more than two occasions during an eight-week period, is required to submit a satisfactory medical certificate from a registered medical practitioner, or any other person who is certified to diagnose and treat patients and who is registered with a professional council established by an Act of Parliament, failing which the employee will not be paid, or will be required to take vacation leave. The medical certificate should not state the nature of the illness, but the period for which the employee was unfit to work and, if applicable, the day on which duty will be resumed.

1.3 If application is made for any other type of leave, apart from sick or vacation leave, the leave form must first be sent to the relevant Human Resources department.

1.4 Employees may also apply for half days leave. Half days leave will be calculated as follows, subject to operational requirements:

Between 08h00 and 12h00

Between 12h30 and 16h30