



KAAP AGULHAS MUNISIPALITEIT
CAPE AGULHAS MUNICIPALITY
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OVERTIME POLICY

1. OBJECTIVE:

- 1.1. The objective of this policy is to provide additional guidelines for the administration of overtime as required by the Basic Conditions of Employment Act and the Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC.

2. DEFINITION

2.1 Earnings means the basic salary for the post according to the SALGBC Wage Curve Collective Agreement.

- 2.2 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 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 Employer means the municipal council of the Cape Agulhas Municipality and if so delegated, also the Senior Management.

2.4 Overtime means *"the time that an employee works during a day or a week in excess of ordinary hours of work"* as defined in section 9 of the Basic Conditions of Employment Act (BCEA).

2.5 Planned overtime is programmed/planned overtime over which the Senior managerial employees as defined in the BCEA, as well as Employees earning more than the threshold provided for in the BCEA employer has control and for which prior approval is required that continue or take place after normal working hours;.(Refer to 2.1 above)

2.6 Senior Management means the Municipal Manager and those managers reporting directly to him and as defined in the Local Government: Municipal Systems Act No 32 of 2000

2.7 Senior managerial employees means those employees defined as such in the BCEA as well as those employees earning above the threshold provided for in the BCEA.

3. SCOPE AND APPLICATION

- 3.1. Senior managerial employees, , do not qualify for any overtime payment but do qualify for time off in lieu of overtime
- 3.2. Employees earning less than the overtime earnings threshold provided for in the BCEA, will, subject to the provisions of this policy, be remunerated for overtime.

4. GENERAL

- 4.1. Overtime work is, in order of precedence subject to the provisions of the BCEA, 1997, the Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC, provisions of this policy.
- 4.2. Overtime work is subject to prior written, planned approval/instruction by a competent authority and no overtime may be worked without such written approval/instruction

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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/instruction to the working of such overtime provided such approval/instruction is followed up with a written confirmation within 24 hours. Prior approval is not required for after hour's standby duty. The standby staff concerned are, however, required to report the starting and finishing time of the task to the standby control staff for record- and payment purposes subject to standard operational procedures

- 4.3. Overtime only commences after completion of ordinary daily or weekly working hours. Overtime can only be claimed for actual hours worked and includes travelling time for commitments within the Cape Agulhas municipal area
- 4.4. No overtime can be claimed for planned overtime 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. This clause is however not applicable to any emergency overtime worked on such a day.
- 4.5. No overtime will be paid for attendance of functions/prize giving, etc. by personal invitation.
- 4.6. The Municipality will, at the discretion of the Senior Manager, provide an employee with a meal 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.
- 4.7. Where overtime in emergency situations causes an employee to work past midnight on a day, the employee will be entitled to a paid break as agreed with the Senior Manager before the employee is required to report for normal duty;
- 4.8. An employee may not work more than 3 hours overtime per day and/or 10 hours per week, except in the case of emergencies.
- 4.9. If a period worked by an employee falls on a Sunday/Public Holiday and another day, the whole shift is regarded to have been worked on the Sunday/Public Holiday, unless the largest part of the shift was worked on the other day, in which case the whole shift will be regarded to have been worked on the other day.

5. TIME OFF IN LIEU OF OVERTIME

- 5.1. Leave/time off in lieu of overtime will be granted only for Senior Managers and senior managerial employees earning more than the threshold provided for in the BCEA for planned and approved overtime and as well as emergencies.
- 5.2. Application for time off in lieu of overtime will be done on a prescribed application form;
- 5.3. Time off in lieu of overtime cannot be encashed except on termination of services provided such time is still 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.

5.5 Senior Managers do not qualify for either overtime or time off in lieu of overtime worked but will receive 5 (five) working days occasional leave per calendar year for all overtime worked and which leave may not be carried over to the following calendar year.

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 BCEA (Section 10) and the Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC. (Currently double pay.)

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 BCEA (Section 10) and the Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC. (Currently double pay.)

8. Rate of PAYMENT

- 8.1. An employee acting in a higher position and receiving an acting allowance will be remunerated overtime for emergency work only at his/her current post level
- 8.2. Where overtime is worked by an employee earning above the earnings threshold of the BCEA, such employee will be granted paid time off, calculated at 1.5 times the number of hours worked by the employee
- 8.3. Payment of overtime shall be done at the rate of pay when the overtime was worked.
- 8.4. Overtime payment is rounded off to the nearest quarter of an hour and is only payable after the first 15 minutes that exceed ordinary hours of work.

9. STANDBY DUTY

- 9.1 Staff who perform standby duty will receive a monthly allowance calculated in accordance with the Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC;
- 9.2 Besides the standby allowance payable, the employee called out during standby duty, will also be paid the normal overtime tariffs in accordance with the BCEA;
- 9.3 The standby allowance as well as the employee's remuneration for standby duties performed, is payable together with the employee's salary at the next normal payday;
- 9.4 Staff who perform standby duty must at all times during the scheduled standby period, be available on ready footing and therefore must at all times during the standby period be contactable by radio and/or telephone (as agreed);
- 9.5 During the standby period, standby staff are regarded as being on duty and all rules and regulations as included in the Disciplinary Code will be applicable to the staff, and accordingly steps will be taken against staff who make themselves guilty of misconduct while on standby duty e.g. by drinking alcohol;
- 9.6 If a member of the standby staff is on leave, he/she will not be eligible for a standby allowance. If, however, the member is called in to perform essential service during his/her leave period, he/she may receive a standby allowance on approval of the Senior Manager or his/her delegate, provided that he/she is not called in to perform such essential service during any period of sick leave.

The annexures to become part of the SOP

CAPE AGULHAS MUNICIPALITY

APPLICATION FOR PLANNED OVERTIME

(This form must be fully completed and signed by the direct supervisor as well as the Director concerned before employees may perform any overtime. Attach this Application for Planned Overtime to the Overtime Claim Form/Timesheet where the actual overtime hours are claimed.)

Details of person(s) who will perform overtime duty on(date)

1	Initials and Surname		Estimated duration of overtime
1.1	Personnel number	
2	Initials and Surname		Estimated duration of overtime

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2.1	Personnel number	
3	Initials and Surname		Estimated duration of overtime
3.1	Personnel number	
4	Initials and Surname		Estimated duration of overtime
4.1	Personnel number	
5	Initials and Surname		Estimated duration of overtime
5.1	Personnel number	
6	Initials and Surname		Estimated duration of overtime
6.1	Personnel number	

TOTAL OF ESTIMATED OVERTIME HOURS

Reason for overtime work (Nature of work to be performed)

.....

Reasons why this task(s) cannot be completed during normal working hours

.....

Recommended by:

.....
Direct Supervisor (Name)

.....
Signature

.....
Date

Approved / not approved

.....
Head of Department (Name)

.....
Signature

.....
Date

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APPLICATION FOR CONDONING OF OVERTIME WORK PERFORMED WHILE ON STANDBY

This form must be completed fully by the telephone standby staff who receive instruction for emergency service work and call out the staff concerned to perform emergency service outside normal working hours.

Details of employee who performed overtime duty

1	Full names and Surname	
2	Personnel number	
3	Workplace	
4	Job Title	
5	Division	
6	Department	

Emergency Service performed

Name, address & tel no of client who reports incident	Hours worked		Total	Noted by: (Name in print)	Signature & date
	From	To			
Details of emergency service:					
Details of emergency service:					

Total hours overtime worked:

Recommended by:

.....
Standby Control Employee (name) Signature Date

Approved / Not approved

.....
Head of Department (name) Signature Date

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