

OVERTIME POLICY

TABLE OF CONTENTS

1.	Purpose	2
2.	Scope of application	2
3.	Definitions	3
4.	Conditions for granting overtime	4
5.	Procedure	4
6.	Payment of overtime for Employees below the Threshold	5
7.	Payment of overtime for Employees above the Threshold	5
8.	Time off in lieu of overtime	6
9.	Pay for work on Sundays	6
10.	Pay for work on Public Holiday	6
11.	Administrative measures for monitoring, managing and control of overtime	6

1. Purpose

- 1.1. To provide a framework for the compensation of employees for additional duties, which they performed in specific circumstances in excess of their prescribed hours of work as authorized by the municipal manager or his/her delegated assignee.

2. Scope of application

- 2.1. This policy applies to all the employees who: -
 - 2.1.1. are employed by Kouga Local Municipality
 - 2.1.2. Fall within the registered scope of South African Local Government Bargaining Council.
 - 2.1.3. Employees who are employed on the basis of an Internship Programme.
 - 2.1.4. Employees earning more than the income earnings threshold from Task Grade 1 – 11 serving in emergency positions.
- 2.2. This Policy shall not apply to the following personnel: -
 - 2.2.1. Employees working less than 24 hours per month.
 - 2.2.2. EPWP workers.
 - 2.2.3. Senior Managers as defined by section 56 and 57 of the Municipal systems act as amended
 - 2.2.4. Employees from task grade 12 and above;

3. Definitions

- 3.1. Basic Salary – means the actual salary notch of the employee.
- 3.2. Day – Working day
- 3.3. Overtime – means the time an employee works in excess of the hours of work per day or week or month that an employee has contracted to perform.
- 3.4. Public Holiday – means any day that is a public in terms of Public Holidays Act 36 of 1994

- 3.5. 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.
- 3.6. Emergency work excludes the performance of routine maintenance work outside working hours.
- 3.7. Emergency positions refers to water, electricity and protection services, i.e. essential services between Task Grade 1 and 11.
- 3.8. Structured/Planned overtime – is defined as Programme/planned overtime which the employer has control over such as Meetings, and other official Council business of which minutes have been kept, that continue or take place after normal working hours.
- 3.9. Senior Managerial employees – means an employee who has the authority to hire, discipline and dismiss employees and to represent the employer internally or externally.

4. Conditions for granting overtime

- 4.1. An employee may for operational reasons, be required to work overtime not longer than 10 hours in a week, 3 hours in any day, except in cases of work-related emergencies (refer to definition of emergency work).
- 4.2. The prior approval to work overtime rests with the Directors of different Departments, Municipal Manager or any other competent person appointed by the Municipality to do so and no overtime may be worked without such written approval being obtained except in cases of work related to emergencies. In the event of emergency overtime, the Municipal Manager, Departmental Director or the appointed competent person may give verbal approval to the working of such overtime provided that such approval shall be followed-up with a written confirmation.
- 4.3. The accountable Director must ensure that there is adequate provision for overtime on his/her budget. In the event of the respective overtime budget being depleted, no further funds shall be provided for overtime payments unless such payment can be justified for approval by the municipal manager.

5. Procedure

- 5.1. A fully completed application on the prescribed form must be submitted timeously for approval by the responsible manager before employees can work remunerated overtime.

- 5.2. The reason for overtime work must be clearly motivated on the prescribed form.
- 5.3. The hours of overtime indicated and approved on the application form are the actual overtime hours that can be claimed but excludes the travelling time except for standby staff.
- 5.4. A full day's work (normal working hours and a lunch break of at- least 30 mins) must first be worked before such employee is eligible for overtime. For example, if an employee was granted half a day's leave or time-off, but on a subsequent day worked additional hours, which he or she now wants to claim overtime, he or she will not be eligible for overtime.
- 5.5. No overtime will be paid for attendance of functions/prize giving etc.
- 5.6. Overtime worked must be reflected on the employee's attendance register. Line Managers and/or supervisors are responsible to monitor and sign off the attendance register on a weekly basis.

6. Payment of overtime for Employees below the Threshold

- 6.1. The municipality shall pay an employee at least one and one-half times the employee's wage for overtime worked or double the employee's wage depending on the prescripts of the Basic Conditions of Employment Act.
- 6.2. Despite clause 6.1, by agreement between the parties, the municipality may pay an employee not less than the employee's ordinary wage for overtime worked and grant the employee at least 30 minutes time off on full pay for every hour of overtime or grant an employee at least 90 minutes paid time off for each hour of overtime worked.
- 6.3. Paid time off must be granted within one month from entitlement.
- 6.4. The Municipal Manager or his/her immediate delegates may use their discretion to grant 'free' occasional leave to employees who are not paid overtime, in recognition of long hours or weekend work.

7. Payment of overtime for Employees above the Threshold

- 7.1. Employees earning more than the income threshold, up to Task Grade 11, who is serving in emergency positions shall be remunerated in terms of the prescripts of the BCEA as amended.
- 7.2. The Municipal Manager or his/her authorised assignee may use their discretion to grant 'free' occasional leave to employees who are not paid overtime, in recognition of long hours or weekend work.

8. Time off in lieu of overtime

- 8.1. Time off in lieu of overtime shall be as per agreement between the parties.
- 8.2. Application for time off in lieu of overtime be done on prescribed application form.
- 8.3. Time off in lieu of overtime cannot be encashed except on termination of service.
- 8.4. Time off in lieu of overtime will be forfeited if it is not taken within 2 months of the employee having become entitled to it.

9. Pay for work on Sundays

- 9.1. An employee who works on a Sunday shall be paid at double the rate for each hour worked, unless the employee ordinarily works on a Sunday, in which case the employer shall pay an employee at one and one-half times the employee's rate of pay for each hour worked.
- 9.2. The municipality may grant an employee who works on a Sunday, paid time off equivalent to the overtime payment he/she would have received.
- 9.3. If a shift worked by an employee on a Sunday and another day, the whole shift is deemed to have been worked on a Sunday, unless the greater portion of the shift was worked on the other day, in which case the whole shift is deemed to have been worked on the other day.

10. Pay for work on Public holiday

- 10.1. A Public holiday shall only be worked in accordance with an agreement.
- 10.2. If an employee works on a Public holiday, on which the employee would not ordinarily work, an employee shall be paid at double the rate for each hour worked.

11. Administrative measures for monitoring, managing and control of overtime

- 11.1. In order to exercise proper control of overtime, it is the responsibility of the Head of Department to ensure that: -
 - 11.1.1. There is always adequate supervision and control measures during the performance of overtime.
 - 11.1.2. The hours of overtime scheduled does not exceed 10 hours in a week as prescribed in Section 10 of Basic Conditions of Employment Act 75 of 1997 as amended, except in the cases of emergency.

- 11.1.3. It is the responsibility of the Head of the Department to ensure that all overtime forms signed by the employee, Head of Department and the Municipal Manager are submitted to the Payroll office by the 10th day of the month. Overtime claims received after the cut-off date will be processed the following month.
- 11.1.4. All overtime forms must be submitted together with the attendance register reflecting the overtime worked.
- 11.1.5. A monthly report on all overtime worked plus overtime expenditure, shall be compiled by the Manager Expenditure and be tabled at the first monthly meeting of the Top Management for scrutiny and corrective measures.
-



C DU PLESSIS
MUNICIPAL MANAGER

30 October 2018

DATE