



DCSR OVERTIME POLICY

File Name	Overtime Policy
Original Author	Department of Culture, Sport and Recreation
Review Date	1 April 2019

DOCUMENT INFORMATION AND LOG

51

DOCUMENT INFORMATION AND LOG

ITEM	TABLE OF CONTENT
	List of Acronyms
1	Definitions
2	Purpose
3	Authorization
4	Scope of application
5	Policy provisions and roles/responsibilities
6	Circumstances under which overtime may be authorized
7	Compensation of overtime
8	Time off lieu of compensation
9	Remuneration of overtime
10	Calculation of overtime remuneration
11	Managing overtime with due regard to basic employee rights
12	Delegation and approval of overtime
13	Control measures
14	Capturing of overtime claim
15	Submitting to salaries

TS

Lists and definition of acronyms

BCEA	- Basic Conditions of Employment Act
PSCBC	- Public Service C0-Ordinating Bargaining Council
PSA	- Public Service Act
SMS	- Senior Management Service
AC	- Accounting Officer
CFO	- Chief Financial Officer
HRM	- Human Resource Management
HOD	- Head of Department
GPSSBC	- General Public Service Sectorial Bargaining Council
OHS	- Occupational Health and Safety

1. DEFINATION OF TERMS

In this Policy, unless inconsistent with or otherwise clearly indicated by the context, the following terms shall have the meanings assigned to hereunder, namely:-

- **Overtime** means the time that an employee works during a day in excess of ordinary hours of work.
- **Ordinary hours of work** means nine hours in any day for employees working for five days in a week.
- **Work** means a productive task deemed official.
- **Employee** means any person appointed by the department in terms of Public Service Act (PSA) and or Basic Condition of Employment Act, 1997 (Act No. 75 of 1997).
- **Manager/Supervisor** means any employee who manages and supervises other employee within a section/unit.
- **Night Work** means work performed between 19H00 – 07H00 or 18H00 – 06H00

2. PURPOSE

The purpose of this policy is to provide guidelines for the management of remunerated overtime performed by employees of the Department. Employees consist of persons who are appointed permanently on the fixed establishment of the Department.

3. AUTHORISATION

The directives from which this policy is derived are:

- Basic Condition of Employment Act, 1997 (Act No. 75 of 1997) (BCEA) section 10 read together with Chapter 2
- The Public Service Regulations, 2001, Part V.D
- PSCBC Resolution No. 3 of 1999, Section VII
- The Financial Manual for purposes of the Calculation and Application of Remunerative Allowance and Benefits, section 5
- Treasury Practice Note 18 Of 2001
- PSCBC Resolution 1 of 2007
- Public Service Act, 1994
- Public Finance Management Act 1 of 1999

4. SCOPE OF APPLICATION

This policy applied to personnel on salary levels 1 to 12 who are appointed in term of the following acts and who fall within the scope of the General Public Service Sectorial Bargaining Council (GPSSBC) Public Service Act, 1994.

5. POLICY PROVISIONS AND ROLES/RESPONSIBILITIES

- 5.1. It is the duty of the manager/supervisor to recommend the working of overtime considering the occupational health, safety and welfare of employees.
- 5.2. The manager/supervisor may not require or permit an employee to work overtime unless agreed by both parties.
- 5.3. This is in contravention of 5.1 above and the Basic Condition of Employment which provides for employee to work overtime as when required and recommended by the immediate Manager/supervisor

6. CIRCUMSTANCES UNDER WHICH OVERTIME MAY BE AUTHORISED

6.1 Overtime may be authorized under the following conditions:

- 6.1.1. When unforeseen and urgent circumstances arise to deliver service, including continuous and necessary functions; this should be recommended by the manager/supervisor.

6.1.1 Official events funded and organized by the Department on Saturdays, Sundays and Public Holidays and the official must have been allocated an indispensable task.

6.1.2 Emergency work. An employee may be required by the Department to perform work outside normal working hours if the work must be performed without delay owing to circumstances, which are beyond the control of the manager and for which she or he could not reasonably have been expected to plan or make provision.

7. COMPENSATION FOR OVERTIME.

7.1. RENUMERATION FOR OVER TIME

7.2. CALCULATION OF OVERTIME REMUNERATION

Remuneration for overtime service will be paid according to the overtime formula contained in the Financial Manual for Purposes of the Calculation and Application of Remunerative Allowances and Benefits contained in PSCBC Resolution 3 of 1999. This formula is applicable:

7.3. Overtime rates for Sundays and Public holidays must be 2 x basic salary of the employee without the option of granting time-off

7.4. All other overtime shall be 1,5 x basic salary without an option of granting

7.5. time-off calculated according to the following formula:

$$2 \times T$$

1. Overtime rates at other times are calculated according the following formula:

$$\frac{4}{3} \times T$$

7.6. T is calculated as follows:

$$T = \frac{A}{365} \times \frac{Z}{B} \times 1$$



Where

A is equal to the smallest of the salary notch of the person concerned or if the overtime duty is performed on a working level lower than the normal working level of the individual concerned, the maximum salary notch of the salary grading attached to the post class that is representative of the lower working level.

B is equal to the weekly number of hours of attendance prescribed for the employee.

8. MANAGING OVERTIME WITH DUE REGARD TO BASIC EMPLOYEE RIGHTS

- 8.1. It is the responsibility of managers and supervisors to plan overtime and to inform their subordinates well in advance of the need to perform overtime duties. Overtime may be performed only with the agreement of the employees involved. Managers and supervisors must also ensure that employees are not exposed to the performance of remunerated overtime for excessively long periods of time as this could result in a dependence on the income generated through overtime.
- 8.2. When determining limits on the performance of overtime, managers and supervisors must take into consideration the logistical, other personal and transport problems that overtime poses for certain employees.
- 8.3. Employer shall incur actual expenditure in respect food or catering while working overtime. The cost is limited to R50 per day applying to week days, weekends and public holidays

9. DELEGATION AND APPROVAL OF OVERTIME

- 9.1.1 All applications for remunerated overtime must be submitted via the program manager to the Chief Financial Officer as per delegation for approval, if the overtime amount is less than 30% of the employee's monthly salary. Approval must be sought first before overtime work commences since ex post facto approval is not allowed.

51

- 9.1.2 Except in exceptional circumstances, the monthly compensation for overtime may not constitute more than 30 % of the employee's monthly salary. Only in justifiable cases and where explicitly motivated, will requests That exceed the 30 % limit be submitted to the CFO for recommendations and then to the HOD for consideration for approval.
- 9.1.3 Overtime to be compensated by time off must be pre-approved, in writing, by a Program manager or Regional Head as per delegation.
- 10 Employees may not be permitted to work more than three hours overtime during weekdays, how many hours on weekends and public holidays and ten hours overtime per week, except in exceptional circumstances.
- 11 All responsible managers should ensure that they have budgeted for remunerative overtime. No application must be made for remunerative overtime when funds are not available.
- 12 Managers should negotiate and exhaust the possibility of time off in lieu of compensation with their employees before applying for remunerated overtime. Reasons necessitating paid overtime must be captured explicitly in the application.
- 9.2. The following information must be contained in the submission for the application for the:
- 9.2.1. The circumstances, which necessitate the performance of overtime duty.
- 9.2.2. The steps, which have been taken to prevent the performance of overtime duty, for example redistribution of duties among available staff, placing staff on shift, work, filling of vacant posts, etc.
- 9.2.3. The reasons why the considered action will or did not succeed in preventing the performance of overtime duty.
- 9.2.4. The number, names and ranks of the employees who will be required to perform overtime duty and how many hours each of them will be required to work.



- 9.2.5. The estimated duration of overtime duty.
- 9.2.6. The estimated expenditure, if applicable of the overtime and whether funds are available.
- 9.2.7. Indicate whether compensation for overtime will be remuneration of time off.

10.1. CONTROL MEASURES

- 10.1.1. Overtime has to be approved before an employee start overtime work.
- 10.1.2. The immediate manager/supervisor should support overtime work, CFO recommends for the approval by the Accounting Officer
- 10.1.3. All employees working overtime must sign the register for every day on which overtime is worked.
- 10.1.4. The overtime registers and claim form are prescribed and must be used by all employees working overtime.
- 10.1.5. Supervisors must confirm on a weekly basis that the overtime indicated by employees on the overtime registers have actually been performed during the specified time, as per agreement per employee.
- 10.1.6. When working outside the official workstation, the approved normal working hours apply and overtime compensation will apply only for work done outside those hours. Managers/supervisors should make arrangements for the register to be signed at that particular workstation, failing which it should be signed upon arrival at the official workstation.
- 10.1.7. Overtime duty may not be performed at an employee's residence.
- 10.1.8. Managers and supervisors are required to take reasonable steps to ensure that the performance of overtime duty is really necessary. When considering requests for the authorization of overtime duty, special attention should be paid to the level of training of staff, the quality of supervision, the utilization of staff in general, statistics of work volumes and work backlogs as well as work reports and possibilities to eliminate the performance of

overtime duty through the application of norms, determination or short-term control techniques, reallocation of staff or duties, establishment of shift arrangements, etc.

- 10.1.9. When considering requests, managers and supervisors should be prepared to identify and correct dysfunctional areas in the division of work and allocation of duties.

11. CAPTURING OF OVERTIME CLAIMS

- 11.1. Human Resources Management will register the approval on PERSAL with the correct particulars of every overtime request case once the CFO or HOD as per delegation whichever the case may be has approved the request.
- 11.2. The supervisor will obtain the program manager's signature and hand in the claim at the sub-directorate: HRM.

12. SUBMISSIONS TO SALARIES.

12.1 (Attachments)

The following documents must be attached to every overtime claim:

- 12.1.1. Approved submission indicating number of days and hours
- 12.1.2. Duly signed and approved claim form
- 12.1.3. Complete and signed overtime register

NB: No claim will be accepted and processed without all the above-mentioned documents attached.

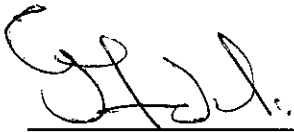
13. POLICY RECOMMENDATIONS AND APPROVALS

- The policy shall be consulted to all affected stakeholder including the labour Unions,
- The policy shall become effective from the date of approval and signing off by the employer and labour Unions representing employees in the department.

14. **AMENDMENTS TO THE POLICY**

- No addition to, variation of, or agreed cancellation of this policy shall be of any force or effect unless in writing and signed by the HOD
- This Policy shall be reviewed every three years. Unless both parties agrees to review the policy on one party's request.

15. **POLICY APPROVAL**



MR GS NTOMBELA
HEAD: CULTURE, SPORT AND RECREATION
DATE 01/04/2018