



University of Fort Hare
Together in Excellence

UNIVERSITY OF FORT HARE POLICIES AND PROCEDURES

OVERTIME AND WORK ON SUNDAYS AND PUBLIC HOLIDAYS POLICY [FINAL DRAFT]

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OVERTIME POLICY

Section 1 Preamble

1.1 Objective

The objective of this policy is to regulate overtime work, work on Sundays and Public holidays as well as compensation (payment/time off) for overtime work. The Basic Conditions of Employment Act, Act 75 of 1997 chapter 2 defines the minimum conditions and requirements relating to regulation of working hours and overtime. It is recognized that in some instances, given the multi-campus nature of the University, and also the nature of a staff member's job description, overtime work is part of the inherent requirements of a staff member's job. In such instances an employee is only entitled to overtime remuneration if the hours worked exceed 40 per week, although line managers may grant a staff member time off, in appropriate situations where the overtime work exceeds the normal expectations associated with the job.

1:2 Applicability

This policy applies to all non-academic permanent and contract employees of the University of Fort Hare, excluding those who fall within Peromnes grades 1-5 (who are entitled to sabbatical leave in lieu of overtime worked, in terms of the sabbatical leave policy), except where specifically mentioned in this policy.

Section 2: Qualifying Requirements

- 2.1 Overtime will be worked by mutual agreement.
- 2.2 Overtime remuneration is payable to employees who perform University duties beyond their prescribed normal working hours during Mondays to Saturdays.
- 2.3 Overtime does not include travelling time, [except in the case of university drivers], attendance of conferences, training courses, lectures or seminars, or after-hours work performed by workers who work for less than 24 hours per month.
- 2.4 These provisions also do not apply to employees who perform scheduled call-out duties. Such employees are paid the applicable stand-by allowance as agreed.

Section 3: Overtime Directives

- 3.1 Except in the event of an emergency call-out, an employee performing scheduled overtime duty shall not be compensated for travelling time or transport expenses. Overtime duty shall therefore be scheduled, as far as

possible, in such a manner that it coincides with the times during which public transport is available.

- 3.2 An employee shall under no circumstances be requested or permitted to perform overtime duty during periods of leave.
- 3.3 In terms of the Basic Conditions of Employment Act, the University shall neither require nor permit an employee to work more than 12 hours on any day, inclusive of overtime or 10 hours overtime in any week. However, if due to operational requirements it is necessary to exceed these limits, the University management shall, after consultation with the employees affected, apply to the local Department of Labour to increase the overtime limit with respect to any one or more of, or all the employees or any particular category of employees.
- 3.4 It is important that even though managers may have approved overtime work they still need to review overtime claims to prevent incorrect or invalid payments being made. Failure to comply with this requirement may lead to action being taken in terms of the University's Disciplinary Procedure against the individual manager.

Section 4: Overtime Remuneration

- 4.1 Employees shall be paid at the rate of one and one-half times their normal for overtime worked.
- 4.2 Alternatively, and provided it is so agreed with the employee, he/she may be granted time off on the basis of 1,5 hours for every hour of overtime worked.
- 4.3 Remuneration for overtime worked should be claimed according to the actual time worked rounded up to the nearest quarter hour. If, for instance a person has worked overtime for 6 hours and 7 minutes, the time claimed should be 6, 25 hours.

Section 5: Control Measures

- 5.1 Performance of overtime duty must be strictly managed so as to ensure that employees are only scheduled to work overtime if it is considered absolutely essential in the interest of the University and cannot be undertaken during normal working hours.
- 5.2 No overtime claim shall be considered if the overtime work is a result of the employee's slow work pace, normal work pressures as determined by the supervisor, absence from work, industrial action and approved sick leave.
- 5.3 Overtime arrangements in terms of various grades are as follows:

5.3.1 Grades 1 to 5 (Senior Management).

Employees on these grades are not entitled to overtime. Not with standing section 1.2 above, paid time off may be granted in unusual or exceptional circumstances to employees on these grades.

5.3.2 Grades 6 to 18

- Employees earning R200,000 pa CTC and below are entitled to remuneration or time off for overtime worked. Should employees earning above the threshold of R200, 000 pa CTC enter into an agreement to work overtime, they shall be remunerated at the applicable threshold.
- 5.4 Overtime work requires prior authorization by the relevant manager and approval by an Executive Head (member of the EMT). The person authorizing the overtime shall confirm:

5.4.1 The name/s of the staff involved.

5.4.2 The hours to be worked

5.4.3 The compensation to be paid

5.4.4 Availability of funds from the existing budget

- 5.5 Overtime payments shall not be made where such payments have not been budgeted for. In exceptional circumstances, Departments/Units that urgently require overtime to be worked should provide a prior written motivation to the Chief Financial Officer for funds to be made available.

- 5.6 The Executive Director: HR shall provide regular feedback to the EMT on the overtime worked by departments/units.

Section 6: WORK ON SUNDAYS

- 6.1 An employee who is required by the University to work on a Sunday must be remunerated on the following basis:

6.1.1 If the employee does not ordinarily work on a Sunday: Double his/her normal wage for time worked. Alternatively, and provided the employee agrees, he/she may be granted time off on the basis of two (2) hours for every hour worked.

6.1.2 If an employee ordinarily works on a Sunday (e.g. if he/she works a shift that is part of his/her 40 hours): One and one-half times his/her normal wage for time worked. Alternatively, and provided the employee agrees, he/she may be granted time-off on the basis of 1, 5 hours for every hour worked.

6.1.3 If a shift falls on a Sunday and another day: The whole shift is deemed to have been worked on the day on which the larger portion of the shift was worked.

Section 7: WORK ON PUBLIC HOLIDAYS

- 7.1 An employee who works on a Public Holiday must be remunerated as follows:
- 7.1.1 If the employee does not ordinarily work on a public holiday: Double his/her wage for the time worked.
 - 7.1.2 If the employee ordinarily works on a public holiday (e.g. if he/she works a shift that is part of his/her 40 hours): Pay at normal wage rate for time worked.
 - 7.1.3 If a shift falls on a public holiday and another day: The whole shift is deemed to have been worked on the day on which the larger portion of the shift was worked.

Section 8: PUBLIC HOLIDAYS THAT FALL ON A SUNDAY

If a public holiday falls on a Sunday, the following Monday is observed as a public holiday. The provisions of section 7.1.2 above will therefore apply in respect of the relative Sunday, whilst the measures contained in section 7.1.3 will apply for the Monday.

Section 9: PAID TIME OFF IN LIEU OF HOURS WORKED

The university shall grant paid time off to employees who agreed to work overtime within one month of entitlement but not more than three months thereafter and such accumulation of overtime shall not attract payment in cash.

Section 10: DATE OF OPERATION

This arrangement comes into effect with effect from the 2009 financial budget.