TO HEADS OF ALL DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

LEAVE MATTERS

1. Emanating from discussions with and/or enquiries from departments and labour, it transpired that uncertainty exists with regard to the application of the provisions with regard sick leave as contained in the Directive on Leave of Absence in the Public Service and need to be clarified.

2. It needs to be mentioned at the onset that this Department is in the process to negotiate the change in terminology of disability leave to incapacity leave.

3. An employee has to utilise first his/her normal sick leave of 36 working days, whether it is for e.g. a minor illness or a major operation. If such an employee has exhausted all his/her normal sick leave credits, all applications for sick leave should thereafter be treated as temporary incapacity leave. It is important to note that-

   3.1. such application should be in respect of each application for sick leave. In other words, an employee is not granted an additional gross number of temporary incapacity leave for the remainder of the sick leave cycle;

   3.2. each application, regardless the number of days concerned should in all instances be accompanied of a medical certificate.

4. Furthermore, a Head of Department may in terms of paragraph 10.4 of the Directive on Leave of Absence in the Public Service grant a maximum of 30
days temporary incapacity leave. During this period an investigation must be done into the nature and extent of the employee’s illness. The latter period may in terms of paragraph 10.5 of the Directive grant additional days’ temporary incapacity leave. The Head of Department may in terms of this provision determine the conditions attached to the granting of such additional days. The conditions may include further check-ups be a medical practitioner or medical reports.

5. If, emanating from an investigation, it transpires that an employee needs to be re-deployed, retrained, retired due to ill-health, etc., the period from the date that such a decision was made by the Head of Department until the process of redeployment, re-training, retirement, etc. has been finalised should be covered by permanent incapacity leave.

6. In the event where an employee has to-

   6.1. consult a doctor, therapist, etc. for reasons related to the employees health/wellness, or

   6.2. go for training related to a disability, e.g. a blind employee who has to get training with his/her guide dog, or

   6.3. go for maintenance work for equipment used as a result of his/her disability,

the department may grant such employees time off in terms of the sick leave provisions. In the event where an employee is absent for a part of the day, the department could record such time off until a full day is completed. The latter should then be recorded as sick leave. If an employee’s normal sick leave is exhausted, then temporary incapacity leave could be considered. It is suggested that departments require proof of such events/occurrences to properly monitor the utilisation of sick leave.