



# the dpsa

Department:  
Public Service and Administration  
REPUBLIC OF SOUTH AFRICA

Private Bag X916, PRETORIA, 0001 Tel: (012) 336 1000, Fax: (012) 326 7802  
Private Bag X9148, Cape Town, 8000. Tel: (021) 467 5120, Fax: (021) 465 5484

Enquiries : Mrs. M.E.Leseka  
Tel No. : 012-336 1180/1200  
File : 19/1/1- 2

## TO ALL HEADS OF DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

### WORLD AIDS DAY 1<sup>ST</sup> DECEMBER 2009: GUIDELINES ON THE MANAGEMENT OF WORKING TIME AND LEAVE OF ABSENCE

1. As you are aware, the World AIDS Day is being commemorated annually on the 1 December. This year marks the 21<sup>st</sup> World AIDS Day, the first to be lead by SANAC in South Africa, and the first to be addressed by the President of the Republic. This is a major event in our Country's history.
2. There has been a request by the Department of Health that departments should encourage and mobilize members of the Government within Pretoria to attend this benchmarking event. This is for the country to send a bold and clear message of Government's commitment to the HIV&AIDS and STI National Strategic Plan 2007-2011.
3. In the light of the above and in preparation for the World AIDS commemoration, we wish to use this opportunity to provide guidance to departments on the following aspects in order for departments to proactively prepare and manage eventualities within the parameters of the applicable policies:
  - 3.1. Working Time
  - 3.2. Leave of Absence in the Public Service
4. **Working Time**
  - 4.1. The Head of Department (HOD) within the parameters defined in the Public Service Regulations, the Basic Conditions of Employment Act, Determination on Working Time, applicable PSCBC and Sectoral Bargaining Councils' collective agreements and, where applicable, departmental policies, has the authority to-
    - 4.1.1. determine employees working daily and weekly hours workweek and daily hours of work of the employees, as well as the opening and closing times of offices taking into account the needs of the public and the family responsibilities and transport arrangements of employees; and therefore
  - 4.2. In preparation of and during the World AIDS Day commemoration departments should -
    - 4.2.1. plan and compile shift rosters over the period of the World AIDS Day in advance, commencing immediately. In doing so departments should consult employees in an and attempt to accommodate as far as possible their preferences in terms of the shift

rosters to attend the World AIDS Day, balanced against the service delivery demands that the Department anticipates it would face during the World AIDS Day commemoration;

4.2.2. pay specific attention to the management of working time with specific reference to the following aspects:

4.2.2.1. Reminding employees of their set working hours as well as their responsibility to make timeous arrangements re time off to leave early/arrive late in order to participate in the World AIDS Day event.

4.2.2.2. Specific provision/arrangements allowing employees to take time off, i.e. to leave work earlier/report later for duty. Such time off should be granted and managed-

(a) with due consideration to the department's service delivery requirements;

(b) by affording all employees a fair and an equal opportunity for time off to participate in the World AIDS Day commemoration; and

(c) by keeping proper records of time off taken with proof of attendance at the World AIDS Day commemorations so that these periods of time off should be captured as normal working hours.

4.3. In areas where Departments anticipate that there might be increased service delivery demands stretching beyond prescribed working hours, Departments should as soon as possible plan for overtime work and ensure that the necessary resources are allocated to perform the overtime work. Further, departments must ensure that the necessary authorisation, etc are obtained in advance.

4.4. Departments should take care that time off and leave of absence should be carefully monitored and managed to ensure that department have sufficient resources available to render services during the World AIDS day and that overtime work does not occur as a result of the latter arrangements.

## 5. Leave of Absence

5.1. As for the other types of leave such as normal sick leave, temporary incapacity leave and family responsibility leave, the normal arrangements remain in place. Managers should however, continue to manage absences as per the provisions of the Determination and the Policy and Procedure on Incapacity Leave and Ill-health Retirement. In other words, employees should -

5.1.1. in the case of an illness be reminded of their obligation to immediately inform his/her supervisor and submit a leave application form for normal sick leave supplemented with the necessary medical certificates in the case of absences of three days and longer within 5 working days w.e.f. the first day of absence. Managers should continue to apply the 8-week rule and monitor sick leave trends and demand proof of such absences regardless the duration of the absence and where necessary investigate and take action;

- 5.1.2. apply for family responsibility leave, if applicable, for the circumstances provided for in the Determination, provided that the necessary supporting documentary proof be provided for the absence; and
  - 5.1.3. in the case of an illness be reminded of their obligation to immediately inform his/her supervisor and submit a leave application form for temporary incapacity leave supplemented with the mandatory medical certificate for all periods of absences regardless the duration within 5 working days w.e.f. the first day of absence.
- 5.2. As was indicted earlier, departments should consider a flexible yet fair approach towards time off enabling employees, where possible, with due consideration to service delivery requirements. Departments must ensure that proper records are kept of these periods and that employees complete leave forms for annual leave once the total number of hours amount to a full work day. Further, the same arrangements should apply in the event where the employee takes parts of the day off for purposes of illness and or family responsibilities as described in the Determination. These absences should also be substantiated with proof, where required.

**6. Employee Communication**

7. Departments could consider preparing a communiqué to employees as soon as possible on the above matters, so that they be sensitised on working time arrangements and issues related to leave of absence during attendance at the World AIDS Day commemoration.

**8. General**

- 8.1. In an attempt to mitigate undue absences and positively inspire employees this event should be embraced within the workplace. In this regard departments could consider encouraging employees/divisions in the departments to adapt their pre-planned World AIDS Day activities to be in line with the National World AIDS Day event. Where possible departments could celebrate their own World AIDS day on a day prior or after the National event on the 1<sup>st</sup> December 2009.
- 8.2. Where possible allow for Departments to put stalls to exhibit their HIV&AIDS response initiatives. This may be utilized as benchmarking, team building and morale boosting opportunities provided that service delivery is not compromised.
- 8.3. The World AIDS Day is a global event and it is important that all South Africans be mobilised to embrace and participate in it to ensure that it is a success. This participation must however also be balanced with the service delivery responsibilities associated with the Public Service and although employees must be allowed the opportunity to enjoy the event it must be done within the confines of the legal frameworks applicable.



**DIRECTOR-GENERAL**

DATE: 26/11/09