



the dpsa

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TO HEADS OF NATIONAL AND PROVINCIAL DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

CIRCULAR NO 28 OF 2026

INTERPRETATION AND APPLICATION OF PARAGRAPH 14.7 OF THE DETERMINATION AND DIRECTIVE ON LEAVE OF ABSENCE IN THE PUBLIC SERVICE

1. PURPOSE

- 1.1 The purpose of this Circular is to provide formal clarification on the correct interpretation and application of paragraph 14.7 of the Determination and Directive on Leave of Absence in the Public Service (hereafter referred to as "the Determination").
- 1.2 This clarification is issued in response to inconsistencies identified in the application of the provision, particularly where sick leave has been approved in the absence of a valid medical certificate covering the full period of absence.

2. BACKGROUND

- 2.1 The Determination regulates leave of absence in the Public Service and is binding on all departments.
- 2.2 It has come to the attention of the Department of Public Service and Administration (DPSA) that certain departments have adopted practices that are not aligned with paragraph 14.7, including the approval of sick leave where medical certificates do not cover the full period of absence.
- 2.3 These practices undermine the uniform application of the Determination and may result in irregular leave administration.

3. LEGISLATIVE PROVISION

- 3.1 Paragraph 14.7 of the Determination provides that: "An employee must submit a medical certificate in respect of his/her sick absence for every occasion of three (3) or more consecutive sick leave days, issued and signed by a practitioner or person listed in paragraph 17.1."

4. INTERPRETATION OF "OCCASION"

- 4.1 For the purposes of paragraph 14.7, an "occasion" refers to a continuous and uninterrupted period of absence due to illness.
- 4.2 An occasion:
 - 4.2.1 Commences on the first day the employee is absent due to illness; and
 - 4.2.2 Terminates when the employee resumes duty.
- 4.3 Any subsequent absence due to illness after the employee has returned to duty constitutes a new occasion.
- 4.4 The requirement for submission of a medical certificate must therefore be assessed per occasion, and not per individual day.

5. CLARIFICATION OF APPLICATION

- 5.1 Where an employee is absent due to illness for three (3) or more consecutive working days within a single occasion, the submission of a medical certificate is compulsory.
- 5.2 The medical certificate must:
 - 5.2.1 Be issued and signed by a practitioner or person listed in paragraph 17.1; and
 - 5.2.2 Cover the full period of absence within the occasion.

6. NON-COMPLIANCE AND CORRECTIVE MEASURES

- 6.1 Departments are hereby advised that:
 - 6.1.1 Sick leave may only be approved where a valid medical certificate covers the full period of absence for the relevant occasion;
 - 6.1.2 Departments may not assume or infer incapacity for periods not covered by a medical certificate.
- 6.2 Any period of absence not covered by a valid medical certificate must be dealt with as follows:
 - 6.2.1 Recorded as annual leave, where the employee has sufficient leave credits and has consented; or
 - 6.2.2 Recorded as unpaid leave, where insufficient leave credits exist.

7. ILLUSTRATIVE EXAMPLES

7.1 The following examples are provided for clarity:

7.1.1 Full Compliance

7.1.1.1 Employee absent for three consecutive days and submits a medical certificate covering the full period.

7.1.1.2 Outcome: Sick leave approved.

7.1.2 Partial Coverage

7.1.2.1 Employee absent for three consecutive days but submits a medical certificate covering only two days.

7.1.2.2 Outcome: Sick leave approved for covered days only; remaining day must be annual leave or unpaid leave.

7.1.3 Late Consultation

7.1.3.1 Employee consults a practitioner after the first day of absence, but the medical certificate covers the entire period.

7.1.3.2 Outcome: Sick leave approved for full period.

8. IMPLEMENTATION

8.1 Departments are required to:

8.1.1 Ensure that all Human Resource practitioners and line managers are informed of the contents of this Circular;

8.1.2 Review and align internal leave administration practices accordingly; and

8.1.3 Ensure strict and consistent compliance with paragraph 14.7 of the Determination.



MR WILLIE VUKELA
ACTING DIRECTOR-GENERAL

DATE: 24/04/26