



**CAPE WINELANDS DISTRICT**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

# **OVERTIME POLICY**

**FEBRUARY 2015**

**Approved by Council:**

**Implemented:**

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## 1. DEFINITIONS

- 1.1 **Overtime** means the time that the employee works during a day or week in excess of the employee's ordinary hours of work.
- 1.2 **Emergency overtime:** means work that must be done without delay because of circumstances for which the employer could not reasonably have expected to make provision and which cannot be performed by employees during their ordinary hours of work. Emergency work excludes the performance of routine maintenance work outside normal working hours. It is however the prerogative of the Employer to decide if any overtime not included in this definition qualifies as emergency overtime.
- 1.3 **Structured overtime:** is defined as programmed/planned overtime which the employer has control of and includes committee and official meetings of which minutes are to be kept, that continues or is scheduled after normal working hours. It includes the performance of routine maintenance work outside normal working hours.
- 1.4 All employees performing a duty as defined as an **Essential Services**, such services are:
- 1.4.1 Fire and Rescue Services
  - 1.4.2 Traffic Services
  - 1.4.3 Environmental Services (Health Officer)
- 1.5 **Earnings:** refer to the retirement funding income or the basic salary for the post, whichever is applicable.
- 1.6 **Threshold earning:** as determined by the Basic Conditions of Employment Act (BCE Act) from time to time.

## 2 OVERTIME

**Preamble:** The working of overtime is subject to very strict control measures and therefore only staff in a supervisory capacity who has been given written permission by his/ her Director, shall be entitled to approve the performance of any overtime by subordinates. This authorisation shall be withdrawn in any suspected case of irregular or misuse thereof, without having to be given reasons for such withdrawal.

A monthly report on all overtime worked plus expenditure involved, shall be drafted by the Head: Expenditure and be tabled to the first monthly meeting of the Executive Management for scrutiny and corrective

measures to be taken.

### **3 EMERGENCY OVERTIME**

- 3.1** All employees performing work on a basis of emergency overtime, shall be remunerated, irrespective of his/her remuneration package.
- 3.2** An employee may for emergency reasons, be required to work overtime and any employee appointed into these services must accept it as part of his/her contract to this effect with Council.
- 3.3** An employee may be required or allowed to work overtime for emergency purposes with the explicit approval of his/her appointed Supervisor. The Supervisor shall however record such approval at the Control Room of the Fire and Rescue Division, without delay where proper records of the call-out time and the completion time of the job shall be recorded in a log sheet. Written standing approval may however be granted by the relevant Director where justified by operational requirements.
- 3.4** All hours exceeding 10 hours overtime worked, shall be approved by the relevant Director and be recorded as outlined above. This approval shall also be confirmed in writing.
- 3.5** Only Directors may approve overtime payment for his Directorate.
- 3.6** No overtime can be claimed should an employee work short-time on a specific day. A full day's work (normal working hours and a lunch break (of at least 30 min) must first be worked before such employee is eligible for overtime.
- 3.7** Council will provide an employee with financial assistance to enable him/her to buy a meal, limited to an amount as determined by the Municipal Manager (or his/her Nominee), when an employee is expected to work overtime during an emergency situation **and** when such emergency overtime work continue for more than three hours after the employee's ordinary working hours.

### **4 STRUCTURED OVERTIME**

- 4.1** An employee may be required to work structured overtime and any employee appointed into the service must accept it as part of his / her contract to this effect with Council

## 4.2 Payment

- 4.2.1 Senior managerial employees earning a basic remuneration package, equivalent to the starting notch of grade T14 and higher, excluding Director or Municipal Manager shall be eligible for time off in lieu of overtime (on the basis of an hour worked for an hour time off) The relevant Director and the employee shall come to a prior agreement on the time off arrangement.
- 4.2.2 Employees earning **more** than the overtime earnings threshold, provided for in the Basic Conditions of Employment Act, but less than the minimum remuneration package of a grade T14, shall be given time off (in terms of the BCE Act) in lieu of structured overtime worked, subject to the further provision of this policy. The Director and the employee involved shall come to a prior agreement on the time off arrangements. If, due to operational need, it is impossible to take time off within a reasonable time, such time off could be paid out.
- 4.2.3 Employees earnings **less** than the overtime earnings threshold provided for in the Basic Conditions of Employment Act, shall, subject to the further provisions of this policy, be remunerated on the prescribed basis for structured overtime worked **or** be given time off in lieu of overtime worked. The relevant Director and the employee shall come to a prior agreement on the payment for overtime or the time-off arrangements.
- 4.2.4 That employees on Personal to Beholder scales, whose income are equal or higher than the remuneration of Grade T14, although they are not in a Senior Management position, be remunerated for overtime work in accordance with paragraph 4.2.1.
- 4.3 Written standing approval may be granted where justified by operational requirements, by the relevant Director.
- 4.4 Only Directors may approve structured overtime payment for his/her Directorate.
- 4.5 No structured overtime can be claimed should an employee work short-time on a specific day. A full day's work (normal working hours and a lunch break of at least 30 min) must first be worked before such employee is eligible for overtime.
- 4.6 Council will provide an employee with financial assistance to enable him / her to buy a meal, limited to an amount as determined by the Municipal

Manager (or his/her Nominee), when an employee is expected to work structured overtime and when such overtime work continue for more than three hours after the employee's ordinary working hours.

- 4.7** An employee may not be required or allowed to work overtime for more than 10 hours during any working week and 3 hours on any working day unless explicitly approved by his/ her Director.

## **5 ESSENTIAL SERVICES**

- 5.1** All employees performing overtime duties as defined as Essential Services, (clause 1.4) shall be remunerated at the prescribed rates, irrespective of his/her remuneration package.

- 5.2** Only Directors may approve overtime payment for essential services for his/her Directorate.

- 5.3** Overtime only commences after completion of ordinary daily or weekly working hours.

- 5.4** No overtime can be claimed should an employee work short-time on a specific day. A full day's work (normal working hours and a lunch break of at least 30 min) must first be worked before such employee is eligible for overtime. A shift worker can only claim overtime after a full shift worked.

- 5.5** Overtime can be claimed for actual hours worked and includes traveling time for standby staff who are required to report to the Fire- and Rescue Section who complete a register as described in paragraph 3.3 above. Overtime for these group starts from the time of call-out.

- 5.6** An employee may not be required or allowed to work overtime for more than 10 hours during any working week and 3 hours on any working day, as stipulated in Section 6(2) of the Act on Basic Conditions of Services, except in case of work related to Essential Services, unless explicitly approved by his/ her Director.

- 5.7.1** Council will provide an employee with financial assistance to enable him / her to buy a meal, limited to an amount as determined by the Municipal Manager (or his/her nominee), when an employee is expected to work overtime and when such overtime work continue for more than three hours after the employee's ordinary working hours.

- 5.7.2** Council will provide an employee with financial assistance to enable him / her to buy a meal, limited to an amount as determined by the Municipal Manager (or his/her nominee), when an Employee is expected to work

overtime and when such overtime start after 10:00 (Saturday / Sunday) and continues for more than seven hours, provided that the Saturday / Sunday is not part of his / her ordinary working hours.

## **6 TIME OFF IN-LIEU OF OVERTIME**

- 6.1** Leave / time off in lieu of overtime shall be granted only for structured and approved overtime, subject to paragraph 3.2.1 & 3.2.2.
- 6.2** Application for leave/time off in lieu of overtime shall be done on a prescribed application form.
- 6.3** Leave/time off in lieu of overtime cannot be encashed except on termination of services. If, due to operational need, it is impossible to take time off within a reasonable time, such time off could be encashed.
- 6.4** Leave in lieu of overtime will lapse if not taken within two months, however, this may be extended to six months by the Municipal Manager (or hi/her nominee) provided that an application for such extension is lodged within the said two month period.

## **7 OVERTIME WORK ON PUBLIC HOLIDAYS**

Payment of time-off to eligible employees for overtime work on public holidays will be dealt with in terms of the Basic Conditions of Employment Act.

## **8 OVERTIME WORK ON SUNDAYS**

Payment or time off to eligible employees for overtime work on a Sunday will be dealt with in terms of the Basic Conditions of Employment Act

## **9 ADMINISTRATIVE MEASURES FOR MUNICIPAL MANAGER AND DIRECTORS MANAGING AND CONTROL OF OVERTIME**

- 9.1** Each Director is responsible and accountable to constantly monitor and review the provisions for overtime on his/her budget and to ensure that trends are noted early; funds are adequate; over expenditure is noted, justified and provided for timeously.

- 9.2** Each Director is responsible and accountable to provide the pay office with a list of officials or representatives (name, signature, cost centre) who are authorized in terms of the delegated powers to approve overtime work. It is the responsibility of each Director (or nominee) to update and maintain the information in the list. The Director must determine whether the information on the overtime form is accurate and correct before they authorize the form for payment.
- 9.3** The Pay Office or any other body or person authorizing overtime payment is responsible to ensure that all payments for overtime are duly authorized by the relevant Director. The Pay Office is specifically responsible to compare the overtime forms' signatures with the authorization list provided.
- 9.4** Attendance registers, which should indicate starting and ending times, must be kept for all employees who qualify for overtime payment or time off in terms of this policy. Attendance registers serve as source documents to complete overtime sheets and shall correspond with the log sheets of the Fire and Rescue Division where applicable.
- 9.5** Overtime worked must be reflected on the employee's attendance register/time sheet. Line managers and/or supervisors are responsible to monitor and sign attendance register/time sheets on a monthly basis.
- 9.6** No overtime will be paid for attendance of functions / prize giving, etc. by personal invitation except in cases of compulsory attendance as an official representative of Council provided that such employee qualifies for time-off in lieu of overtime and provided further that such overtime is authorized in advance by the relevant Director.
- 9.7** An employee performing in an acting capacity in a higher position and receiving an acting allowance will be remunerated overtime for emergency work only at his/her current post level.