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Wes-kaap Onderwysdepartement

Western Cape Education Department

ISEBE IeMfundo IeNtshona Koloni

CIRCULAR 0053/2001

TO:

ALL CHIEF DIRECTORS, DIRECTORS, AREA AND CIRCUIT MANAGERS, SUBJECT ADVISORS, HEADS OF EDUCATIONAL INSTITUTIONS AND RECOGNISED LABOUR UNIONS.

**VACATION LEAVE POLICY AND PROCEDURES FOR PUBLIC SERVICE STAFF EMPLOYED AT EDUCATIONAL AND TRAINING INSTITUTIONS**

1. After consultation with the recognised Labour Unions attached to the Provincial Bargaining Council, consensus was reached on the implementation of the following leave policy for Public Service Staff employed at state educational institutions, with effect from 1 June 1999.

2. PURPOSE OF POLICY

The new policy for Public Service Staff (non-teaching staff) employed at state educational institutions is to provide a uniform leave dispensation for all staff to ensure that administrative and cleaning support services can be performed effectively.

3. REASONS FOR NEW VACATION LEAVE POLICY

- 3.1 When the former education departments were rationalised the WCED inherited a situation where leave dispensations applicable to officers and employees employed at educational and training institutions were applied in different ways.
- 3.2 When services and staff were integrated into the WCED the different applications of the leave dispensation caused much dissatisfaction among staff members and also had a negative effect on the smooth functioning of institutions.
- 3.3 The application of the vacation leave dispensation by the former education departments was as follows:

POST DESIGNATION	ANNUAL VACATION LEAVE ACCRUAL (days)		
	EX HOR	EX CED	EX DET
Cleaners	12	30	30
Administrative Staff	12	12	30
Foremen	12	30	30

MELD ASSEBLIEF VERWYSINGSNOMMERS IN ALLE KORRESPONDENSIE / PLEASE QUOTE REFERENCE NUMBERS IN ALL CORRESPONDENCE /  
NCEDA UBHALE IINOMBOLO ZESALATHISO KUYO YONKE INBALELWANO

GRAND CENTRAL-GEBOU, LAER-PARLEMENTSTRAAT, PRIVAATSAK X9114, KAAPSTAD 8000  
GRAND CENTRAL BUILDING, LOWER PARLIAMENT STREET, PRIVATE BAG X9114, CAPE TOWN 8000

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3.4 At educational support institutions (excluding schools and training institutions) educators are required to work during school holidays while administrative staff are on vacation. This situation hampers effective service rendering and creates unnecessary tension between the different staff groups.

3.5 The discrepancies did not lie in the differences in leave dispensations, but in the differences in the application of the uniform leave classification.

3.6 The previous own affairs legislation that, inter alia, regulated the leave policies of the former education departments, has now been repealed. The last of this was Section 7 of the Education Affairs Act (House of Assembly) (Act 70 of 1988). The leave measures that were previously set out in the own affairs legislation are exactly the same as those contained in the Public Service Regulations.

4. PREScribed LEAVE DISPENSATION IN TERMS OF THE PUBLIC SERVICE REGULATIONS PROMULGATED UNDER THE PUBLIC SERVICE ACT, 1994 (PREVIOUS LEAVE POLICY)

4.1 Officers and employees employed at educational and training institutions are classified into the following groups for purposes of vacation and sick leave and are granted leave accordingly.

CLASSIFICATION	ANNUAL VACATION LEAVE ACCRUAL (DAYS)	NUMBER OF DAYS SICK LEAVE IN EACH CYCLE ON	
		FULL PAY	HALF PAY
Officers and employees employed at educational and training institutions which close completely during periods when instruction is suspended and who are eligible for non-accumulative leave	12	90	90

4.2 In terms of the Public Service Regulations officers and employees employed at educational and training institutions may be granted non-accumulative vacation leave during school or institutional holidays when instruction is suspended. If an officer or employee is required to remain on duty during periods of school or institutional holidays, he or she may be credited with accumulative vacation leave over and above the 12 days that can be accrued, equal to half the number of days in respect of which he or she remains on duty, but limited to a maximum of 25 days accumulative vacation leave per year ending on 31 December.

4.3 Officers and employees employed at educational and training institutions who are required to remain on duty during all periods when instruction is suspended shall be granted leave as follows:

CLASSIFICATION	ANNUAL VACATION LEAVE ACCRUAL (DAYS)	NUMBER OF DAYS SICK LEAVE IN EACH CYCLE ON	
		FULL PAY	HALF PAY
(a) Officers appointed before 1 July 1966 and classified in terms of the pre-revised vacation leave into-			
(i) Group 1A	38	120	120
(ii) Group 1B	36	120	120

(b) Officers appointed on or after 1 July 1966 and who have completed the following service:			
(i) Ten years or longer	36	120	120
(ii) Less than 10 years	30	120	120
(c) Employees who have completed the following service:			
(i) Ten years or longer	36	120	120
(ii) Less than ten years	30	120	120

## 5. NEW LEAVE POLICY

- 5.1 The implementation of Circular 71/99 dated 26 July 1999 with effect from 1 June 1999, to a certain extent hampered the effective administration of state educational institutions.
- 5.2 After critical analysis of the problems experienced with Circular 71/99, as well as discussions with different worker organisations and other interested parties, approval was granted for paragraph 5 of the circular to be repealed and substituted with the following uniform policy for all public service staff employed at state educational institutions, except personnel attached to teachers' centres and the farming division of agricultural schools.
- 5.2.1 Annual vacation leave accrual with effect from
- |     |                             |                            |
|-----|-----------------------------|----------------------------|
| (a) | 1 June 1999 to 30 June 2000 | 12 calendar days per annum |
| (b) | 1 July 2000                 | 10 working days per annum  |
- (The leave entitlement for the period 1 July 2000 to 31 December 2000 is 5 working days which should be utilised before 30 June 2001 in terms of Resolution 7 of 2000)
- 5.2.2 Number of days sick leave in every three-year cycle with effect from
- |     |                             |                  |                  |
|-----|-----------------------------|------------------|------------------|
| (a) | 1 June 1999 to 30 June 2000 | with full salary | 90 calendar days |
|     |                             | with half salary | 90 calendar days |
| (b) | 1 July 2000                 | with full salary | 36 working days  |
- 5.3 In terms of Annexure A(1)(a) and (b) of Resolution No 7 of 2000 (PSCBC) dated 28 September 2000, the services of aforementioned staff are suspended during the vacations of state educational institutions. However, staff who are instructed by the head of the institution, in terms of paragraph 4.2 of Circular 71/99, to render service during such vacation periods are credited over and above the 10 working days as mentioned, with half the number of days in respect of which he or she remained on duty, but limited to a maximum of 17 working days in a calendar year. Such persons can thus accumulate a maximum of 27 working days vacation leave credits per annum.
- 5.4 With reference to paragraph 5.3, it must be emphasised that the authority to issue instructions for the rendering of service during vacation periods rests with the head of the institution. In terms of the provisions of Annexure A of Resolution 2 dated 29 January 1999, an employee is guilty of misconduct if he or she fails to carry out such an instruction and, in accordance with the disciplinary procedures, will be strictly dealt with.

- 5.5 Heads of institutions should take notice of the fact that Resolution 7 of 2000 determines that vacation leave credits which are accumulated in a specific leave cycle must be utilised within 18 months, whereafter it is forfeited. ( The leave entitlement for the leave cycle 1 January 2001 to 31 December 2001 must therefore be utilised within 18 months, i.e. before 30 June 2002)
- 5.6 Resolution 7 of 2000 also makes provision that, where an employee is prevented from utilising his/her vacation leave entitlement for a specific leave cycle within the prescribed 18 months, due to the employer's operational requirements, the employer (WCED) shall pay the cash value of such leave at the end of the 18 months. Heads of institutions are, however, requested to manage this process very carefully, as the WCED is, due to financial constraints, not in a position to pay out any unused leave.
- 5.7 The following leave policy is applicable to public service staff attached to teachers' centres and the farming division of agricultural schools:

- (a) With effect from 1 June 1999 to 30 June 2000:

CLASSIFICATION	ANNUAL VACATION LEAVE ACCRUAL (DAYS)	NUMBER OF DAYS SICK LEAVE IN EACH CYCLE ON	
		FULL PAY	HALF PAY
(a) Officers appointed before 1 July 1966 and classified in terms of the pre-revised vacation leave into-			
(i) Group 1A	38	120	120
(ii) Group 1B	36	120	120
(b) Officers appointed on or after 1 July 1966 and who have completed the following service:			
(i) Ten years or longer	36	120	120
(ii) Less than ten years	30	120	120
(c) Employees who have completed the following service:			
(i) Ten years or longer	36	120	120
(ii) Less than ten years	30	120	120

- (b) With effect from 1 July 2000:

(a) Personnel appointed before 1 July 1966:	
Annual vacation leave accrual	28 working days
Number of days sick leave in every 3 year cycle, with full salary:	36 working days

## (b) Personnel appointed after 1 July 1966:

Annual vacation leave accrual with:

(i) At least 10 years service	26 working days
(ii) Less than 10 years service	22 working days
Number of days sick leave in every 3 year cycle, with full salary:	36 working days


6. PROCEDURES

- 6.1 The following procedures must be adhered to in the application of the dispensation in respect of paragraph 5.3 above:
- 6.1.1 Heads of educational institutions must, at least 30 days before the date on which the school or institutional holiday commences, issue a written instruction to an employee to remain on duty during such periods of school or institutional holidays. For this purpose the attached form (**Annexure A**) must be completed in duplicate. The original must be handed to the relevant employee and the copy must be kept on record for audit purposes.
- 6.1.2 At the beginning of each new school - or institutional term the head of the educational institution must inform his or her relevant area manager of the exact date/s on which the employee was on duty in the preceding school - or institutional holiday in order to credit the employee with accumulated leave in terms of paragraph 5.3 above. For this purpose the attached certificate (**Annexure B**) must be completed in triplicate. The original must be submitted to the area manager, one copy must be given to the relevant employee, and the other copy must be kept on record for audit purposes.
- 6.2 In respect of staff falling under the leave dispensation as set out in paragraph 5.5, an application for leave must be submitted in duplicate on the prescribed Z1 leave application form (copy attached) at least one month in advance. The completed leave forms, with the recommendation of the head of the institution, must be submitted to the relevant area manager for approval and for the debiting against the leave credits of employees.

7. DATE OF IMPLEMENTATION

The date of implementation remains 1 June 1999.

8. Please bring the contents of this circular to the attention of all Public Service staff at your institution.

  
 HEAD: EDUCATION  
 DATE: 30 April 2001

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Wes-Kaap Onderwysdepartement

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Western Cape Education Department

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ISebe leMfundo leNtshona Koloni

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Mr/Ms .....

.....

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.....

Dear Mr./Ms .....

**RENDERING OF SERVICE DURING SCHOOL HOLIDAYS IN TERMS OF PUBLIC SERVICE REGULATION C 4.3.1**

Kindly be informed that it is necessary that you report for official duty during the forthcoming school holidays. You are therefore requested to report for duty for the period ..... to .....

The Department will be informed of the above-mentioned period of service so that your accumulated vacation leave can be credited appropriately.

Your co-operation in this regard is appreciated.

Yours faithfully

**HEAD OF INSTITUTION**  
**DATE:**

WESTERN CAPE EDUCATION DEPARTMENT

The Area Manager

.....  
.....  
.....

CERTIFICATE FOR DUTIES PERFORMED DURING SCHOOL HOLIDAYS IN  
TERMS OF PUBLIC SERVICE REGULATION C 4.3.1

TITLE

--	--

SURNAME

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

NAME

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

PERSAL NO.

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INSTITUTION

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I, ....., in my capacity as  
..... hereby certify that  
Mr./Ms..... performed duties for the period .....  
to .....

He/she therefore qualifies to be credited with accumulated vacation leave for half  
of the above-mentioned period that he/she was on duty.

Signed at ..... on this ..... day of  
.....:..... 20.....

HEAD OF INSTITUTION

INSTITUTION STAMP

DATE: