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Wes-Kaap Onderwysdepartement

Western Cape Education Department

ISEbe leMfundo leNtshona Koloni

CIRCULAR: 0079/01

TO:

ALL CHIEF DIRECTORS, DIRECTORS, HEADS OF SUBDIRECTORATES AND DIVISIONS OF HEAD OFFICE, AREA AND CIRCUIT MANAGERS, ADMINISTRATIVE HEADS OF AREA OFFICES, SUBJECT ADVISORS AND HEADS OF ALL EDUCATIONAL INSTITUTIONS


INTERIM MEASURES AND FURTHER EXPLANATION: NEW LEAVE DISPENSATION (RESOLUTION 7/2000) WHICH CAME INTO EFFECT ON 1 JULY 2000: PUBLIC SERVANTS AND CS EDUCATORS

1. The most important base document which appeared in the above regard is Resolution 7/2000, a copy of which was distributed as an annexure to Circular 0012/2001.
2. It has repeatedly been emphasised that leave will henceforth be granted per annual cycle (leave cycle), in other words on 1 January of each year and that leave should then be utilised before the end of June of the following year. Because the leave dispensation commenced on 1 July 2000, a person was only entitled to halve (50%) of his or her normal leave credit for the period 1 July to 31 December 2000. This leave credit should have been or must be utilised before 30 June 2001.
3. For the sake of completeness the different leave categories are again indicated hereunder:

Classification	Less than 10 years' service	More than 10 years' service	Appointed before 1 July 1966
Teachers attached to institutions (excluding teachers' centres)	10	10	12
Teachers: Office bound (head office, area offices and teachers' centres)	22	26	28
Public Servants attached to institutions (excluding teachers' centres and farming divisions of Agricultural schools)	10	10	12
Public Servants attached to offices (head office, area offices, teachers' centres and farming divisions of Agricultural schools)	22	26	28

4. A few examples of how leave has been granted in practice to a person who qualifies for 26 working days per leave cycle follow:
  - 4.1 A person with more than 10 years' service and who is therefore entitled to 26 working days leave per annum, took 16 days leave between 1 July 2000 and 31 December 2000. He or she was only entitled to 13 days (50% of 26 days) for that period, with the result that the remaining 3 days would have been taken from his or her leave which was accumulated before July 2000.
  - 4.2 If such a person took less than 13 days, for example 9 days during the period 1 July 2000 to 31 December 2000, the remainder, in other words 4 days should be taken before 1 July 2001.
  - 4.3 If he or she took 5 days in December 2000 and 15 days in January 2001, the 5 days which had been taken in December 2000 plus 8 of the 15 days which were taken in January 2001 would have come from the 13 days credit for 2000 and the remaining 7 days from the credit for 2001. Such a person will then have a further 19 days (26 - 7 days) to his or her credit for 2001.
  - 4.4 If this person took 10 of the 13 days in December 2000 (3 days are left over) and a further 35 days during the leave cycle of 2001, the 6 days which were taken more than the credit (35 - 29 days credit) will be set off against the leave credit which accumulated before 1 July 2000.
5. Leave will henceforth not be granted on a pro rata basis per month, but the full credit per annum will be available on 1 January of a specific year.
6. Although a person has 18 months for each leave cycle which starts on 1 January, to take his or her leave, Public Servants must take at least 10 days' continuous leave during the first 12 months of the 18 month period, unless it is prevented by operational requirements.
7. Leave in terms of the new dispensation for a maximum of 22 days is henceforth payable at resignation, discharge, abscondment, etc. Leave that has been accumulated prior to July 2000 on the other hand, will, as in the past only be payable at retirement on pension and at death. All payments will still be calculated according to a person's wages on his or her last day of duty.
8. Leave credit accumulated prior to 1 July 2000 may, depending on operational requirements, be utilised. If a person who is entitled to 26 days' leave in a leave cycle takes more than 26 days in the cycle (for example 30 days), the 4 days (30 - 26 days) will be set off against the leave accumulated prior to 1 July 2000.
9. Although policy will still have to be formulated with regard to certain sick leave matters, the following broad measures could be given:
  - 9.1 In a cycle that stretches over a period of 3 years from 1 January 2001 and for every cycle of 3 years thereafter, a person will be entitled to 36 days sick leave.
  - 9.2 If the 36 days sick leave are exhausted, temporary disability leave could be granted in certain circumstances. Policy will, however, still have to be formulated in this regard.
  - 9.3 Sick leave must still be covered by the submission of a medical certificate issued by a registered medical practitioner. The number of days in respect of which a certificate will not be required, will be furnished later.

10. Maternity leave benefits are extended to 4 months and if a person utilised less maternity leave after 1 July 2000, application could be made to have the vacation leave translated to maternity leave now.
- 10.1 Maternity leave should start at least 4 weeks prior to the confinement unless the attending practitioner issues a certificate that indemnifies the employer in the event of complications or any undesirable incidence.
11. Family responsibility leave is also granted in the Public Service from 1 July 2000. Particulars in this regard is set out in Resolution 7/2000.
12. The utilization of CS-Educators' leave is presently being discussed at national level. As soon as more information is available a follow-up circular will be sent.
13. As mentioned, particulars with respect to leave as for office bearers of trade unions, special leave and unpaid leave will be furnished as soon as policy in this regard has been formulated and approved.
14. You are in the meanwhile requested also to make the information contained in this Circular available to all staff under your control.

  
JOY HEAD: EDUCATION  
DATE: 2001.06.14.