

PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL

Resolution No. 3 of 1999

REMUNERATIVE ALLOWANCES AND BENEFITS

Signed on 4 February 1999

VII. Overtime**1 Aim**

If an executing authority

- 1.1 expressly requires an employee to work more than normal hours or on days of rest, and
 - 1.2 other agreements do not prevent overtime payments to the employee,
- the employer may provide compensation through time off or additional pay.

2 Definition

In this agreement, overtime refers to work in excess of the hours of work per week or month that an employee has contracted to perform.

3 Authorisation

- 3.1 Before an executing authority may authorise compensation for overtime, she or he shall negotiate a written policy for her or his department, determining
 - (a) under what conditions the department shall provide compensation for overtime work,
 - (b) what kind of compensation the department shall provide, and
 - (c) categories of employee to whom the department shall not provide compensation for overtime.
- 3.2 An executing authority shall communicate the departmental policy on overtime to all the employees in her or his department.
- 3.3 The employer may decline to authorise compensation for overtime.
- 3.4 The employer shall provide compensation for overtime only where an executing authority or her or his delegate has required or authorised, in writing.
 - (a) the performance of overtime work, and
 - (b) overtime compensation for the work performed.

4 Rest, meal breaks and travel

- 4.1 If an executing authority authorises overtime, she or he shall ensure
 - (a) fair and acceptable limits on the extent of overtime,
 - (b) periods for rest and meals, and
 - (c) as far as possible, that employees travel to and from work at a time when public transport is available.
- 4.2 Overtime shall generally include periods
 - (a) provided for rest and meals, and
 - (b) when an employee must stay at her or his place of work but cannot actually work due to circumstances beyond her or his control.
- 4.3 In order to perform authorised overtime, an employee may travel from home to her or his normal place of work or from the normal workplace to home at a time when she or he usually would not travel. In this case,
 - (a) if the employee was not on authorised standby duty,
 - (i) the journey counts as an official journey, but
 - (ii) the time spent on the journey does not count as overtime work; and
 - (b) if the employee was on authorised standby duty, the time spent on the journey counts as overtime work.

- 4.4 If, in order to perform authorised overtime, an employee must travel to a place other than her or his normal place of work, the time spent on the journey shall count as overtime work.
- 5 Sunday work
- 5.1 The employer shall provide compensation for Sunday work when an executing authority has required an employee, in writing, to work paid overtime
- (a) on a Sunday or other public holiday, if the employee does not normally work on such a day, or
 - (b) on a day the employee normally has off to compensate for work on a Sunday or other public holiday.
- 5.2 The employer shall compensate authorised Sunday work by
- (a) paying the employee concerned two times her or his normal hourly remuneration, or
 - (b) granting time off equal to the time worked.
- 6 Normal overtime
- 6.1 The employer shall provide compensation for normal overtime when an executing authority
- (a) has required an employee, in writing, to perform official duties for more hours than the employee's normal working hours during a week, but
 - (b) has not required Sunday work as defined in paragraph 5, or night overtime as defined in paragraph 7.
- 6.2 The employer shall compensate authorised normal overtime by
- (a) paying the employee concerned one and one third times her or his normal hourly remuneration, or
 - (b) granting the employee time off equal to time worked.
- 7 Night overtime
- 7.1 The employer shall provide compensation for night overtime when
- (a) an executing authority has required an employee, in writing, to perform paid overtime between 20:00 hours and 6:00 hours, and
 - (b) the employee does not normally work at night.
- 7.2 The employer shall compensate authorised night overtime by
- (a) paying the employee concerned two times her or his normal hourly remuneration, or
 - (b) granting the employee time off equal to the time worked.
- 8 Overtime allowance
- 8.1 The employer may pay an employee a fixed monthly allowance to compensate for overtime if
- (a) the employee performs reasonably similar amounts of authorised overtime, Sunday work or night overtime from month to month, and
 - (b) the employee agrees in writing.
- 8.2 The allowance shall equal the average monthly compensation the employee received for overtime in the six months preceding the establishment of the allowance.

VIII. Standby allowance

- 1 If the employer requires an employee to be available for the performance of duty outside of her or his normal working hours, the employer shall pay a standby allowance.
- 2 The employer shall pay the allowance if an employee's supervisor requires an employee to be available for duty
 - 2.1 at a place other than the employee's normal place of work, and
 - 2.2 for a period of at least 16 hours during a 24-hour period
 - (a) from the normal closing time of the employee's place of work, or
 - (b) on a day on which the employee would not normally work.
- 3 The standby allowance shall equal R19.60 for each 24-hour period.
- 4 The standby allowance shall not affect or be affected by a payment for overtime due to the employee.

IX. Danger allowances

- 1 The employer shall compensate an employee who risks her or his life in the course of carrying out specified duties or training.
- 2 The employer shall not pay a danger allowance to an employee of the South African Police Services (SAPS), South African National Defence Force (SANDF), or the Department of Correctional Services who does not participate in the line activities of her or his department.
- 3 An employee may receive a Standard Danger Allowance and/or a Special Danger Allowance.
- 4 The employer shall pay the Standard Danger Allowance to an employee who
 - 4.1 undertakes or trains for one or more of the duties listed in paragraph 5, and
 - 4.2 in the course of her or his work or training, experiences a genuine risk to her or his life.
- 5 The following duties may qualify for the Standard Danger Allowance:
 - (a) under-water diving;
 - (b) parachute jumping;
 - (c) surveying, inspecting and/or helping to operate a vessel or submarine at sea, or an aeroplane, in pursuance of the employee's line functions;
 - (d) dowsing fires at airports and/or rescue work during fires and/or other emergencies;
 - (e) working with core drills, explosives or explosive weapons;
 - (f) repairing and maintaining arms and ammunition for the Inspectorate of Naval Ordnance of the Navy;
 - (g) working with or guarding convicts, people held in places of safety, or people on parole;
 - (h) investigating or preventing a crime;
 - (i) executing a military operation;
 - (j) acting as part of the SAPS or SANDF to maintain public order; and/or
 - (k) working for the safety restricted laboratory of the National Institute for Virology.
- 6 The employer shall pay the Special Danger Allowance to an employee who works in one or more of the following:

- (a) the Task Force of the SAPS;
 - (b) a Public Order Policing Unit of the SAPS;
 - (c) the Reaction Unit of the Department of Correctional Services;
 - (d) the Special Forces of the SANDF;
 - (e) the Department of Correctional Services, in duties that require direct contact with maximum security prisoners;
 - (f) the SAPS or SANDF in areas that the National Commissioner of the SAPS and/or the Chief of the SANDF has designated as high risk due to:
 - (i) attacks on members of the SAPS and/or the SANDF;
 - (ii) widespread violent offences; and/or
 - (iii) military activities by enemy forces.
- 7 If an employee qualifies for the Standard Danger Allowance on one or more grounds, she or he shall receive R200 a month, or the equivalent amount in daily terms
- 8 If an employee qualifies for the Special Danger Allowance on one or more grounds, she or he shall receive R300 a month, or the equivalent amount in daily terms
- 9 If an employee qualifies for both the Standard and the Special Danger Allowances, she or he may receive both simultaneously
- 10 The employer shall pay a danger allowance on the date an eligible employee receives her or his salary. The employer shall stop paying the allowance when the employee stops being eligible.