

MBOMBELA LOCAL MUNICIPALITY



OVERTIME POLICY

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1. Purpose

- The Basic Conditions of Employment, Act 75 of 1997 regulates the conditions under which an employer may require an employee to work overtime, as well as the remuneration thereof. Further to this the Determination on Earnings Threshold by the Minister of Labour sets the limit on the salary notch beyond which overtime conditions as stipulated in Basic Conditions of Employment Act do not apply.

2. Objective

- To provide uniform provisions and principles regarding the allocation of overtime work.

3. Scope

- The Policy shall apply to all employees of Mbombela Local Municipality.

4. Definitions

- “Emergency work”

work which is required to be done without delay owing to circumstances for which the Municipality could not reasonably have been expected to make provision for and cannot be performed by employees during their ordinary hours of work such as accidents and *vis major* after hours.

5. Legislative Framework

- SALGBC Organisational Rights Agreement;
- Basic Conditions of Employment Act, 75 of 1997;

6. General Policy Provisions

- Only staff earning an annual salary not exceeding the threshold set by the Minister of Labour from time to time qualifies for overtime remuneration.
- [The current threshold is set at R183 008.00 per annum.]
- Approval to work overtime must be applied for at least two (2) days in advance.
- Only emergency calls and official meetings are exempted from prior approval.
- Staff who earn in excess of the amount referred to above will be credited with a maximum of twelve (12) days overtime leave over and above their normal annual leave, subject to proof that they worked hours equivalent to twelve days.
- Overtime leave shall be taken in such a manner so that at no time any accumulated overtime leave shall exceed 24 days.
- Overtime leave cannot be converted into any other type of leave or encashed.
- An employee may not work more than 10 hours overtime a week.

- Non-essential overtime such as litter picking, grass cutting, street sweeping, administrative support functions and road marking shall not be allowed on Sundays and Public holidays.
- Overtime for the purpose of cleaning and preparation of community facilities such as halls and sport facilities, on occasions that these facilities are booked, may be allowed on Sundays and Public holidays provided that prior approval is obtained from the relevant General Manager.
- Overtime for the purpose of coordinating and facilitating of activities of Council including the deploying of resources such as public address systems, chairs and tables during community meetings may be allowed on Sundays and Public holidays provided that the overtime for these activities is in accordance with the Public participation program of Council and prior approval is obtained from the relevant General Manager.
- The Municipal Manager is mandated to approve and/or recall exemptions from the salary threshold if and when necessary.
- Requests for exemptions from the salary threshold shall be submitted to the Municipal Manager in advance and must include a list of employees required to work overtime as well as relevant motivations.
- The following five job categories are exempted from the salary threshold and may be remunerated in terms of section 10 of the Basic Conditions of Employment act of 1997:

Traffic Law Enforcement and Security Services: from rank of Superintendent and lower

Fire and Rescue Services: from rank of Leading Fire Fighter and lower

Streets and Storm water: from Foreman and lower

Water and Sanitation: from Superintendent and lower

Electrical Engineering: from Superintendent and lower

NOTE: All other principles and procedures of the Overtime Policy remain in place for the above exempted job categories and must be adhered to at all times.

- Prior approval of Emergency calls is not necessary but approval form shall contain the following additional motivation and detail:
 - ☐ Incident
 - ☐ Date
 - ☐ Time
 - ☐ Employee on standby or not; if not reason why he/she was called out
 - ☐ Duration of call out

7. Procedure:

- Respective supervisors are to complete the attached "Application to Work Overtime Form" (Annexure A). The application form should stipulate the reason for the task/s to be conducted outside of normal working hours, as well as the dates and times during which these tasks will be undertaken.
- The duly completed form should be approved by the Head of Department.

- In case of emergencies and meetings, where it is impossible to comply with the above, the Head of Department must indicate under “reasons” why the form is filled in after work has been done.
- The actual overtime hours worked is to be recorded on the overtime sheet (Annexure B). The Supervisor must sign the overtime sheet as verification of the overtime hours worked by the staff member.
- Remuneration of overtime worked shall be in accordance with the BCEA no. 75 of 1997, as well as any other South African Local Government Bargaining Council (SALGBC) or workplace agreements concluded from time to time.
- Employees who work overtime or who allow subordinates to work overtime in contravention with this Policy and the Basic Conditions of Employment Act, 75 of 1997 will personally be held responsible for any expenditure in this regard.

APPLICATION TO WORK OVERTIME

(A separate form needs to be completed for each employee required to work overtime)

EMPLOYEE	Name:		Pay No:	
	Designation:		Post level:	
SUPERVISOR	I, ID No hereby agree to work overtime as indicated below, provided that the intended overtime is approved by Management.			
	SIGNED:		DATE:	
	EMPLOYEE			
	I, herewith request permission for the above mentioned staff member under my supervision to work overtime on the following date/s:			
	Date		Envisaged Hours	
The reason for the overtime being as follows:				
SIGNED:		DATE:		
SUPERVISOR				
Overtime Authorised / Not Authorised: (Refer to Delegated Authority)			DATE:	
MANAGER:			DATE:	
GENERAL MANAGER/ SNR MANAGER.....				

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Bj/shared data/data/policies/REVISED overtime policy January 2015

Annexure B



MBOMBELA LOCAL MUNICIPALITY

NAME:

DIRECTORATE:

Date	Overtime worked				Time taken off			Balance	Reason	Signature Supervisor
	From	To	Time	Converted	From	To	Time			

Signature of Employee: **Balance overtime vote:**

APPROVED / NOT APPROVED

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SIGNATURE: GENERAL MANAGER/SNR MANAGER

Bj/shared data/data/policies/revised overtime Policy Jan 2015

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