

OVERTIME POLICY

PREPARED FOR

CEDERBERG MUNICIPALITY

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1. **DEFINITIONS**

- 1.1 Overtime means the time the employee works during a day or week in excess of the employee's ordinary hours of work.
- 1.2. Emergency work refers to work that must be done without delay because of circumstances for which the employer could not reasonable have been expected to make provision and which cannot not be - performed by employees during their ordinary' hours of work.
- 1.3. Emergency work excludes the performance routine maintenance work outside normal working hours. Structured overtime be defined as programmed / planned overtime over which the employer has control [including Cederberg Municipality, Committee and official meetings of which minutes have been kept] that continue or take place after normal working hours;
- 1.4. Earnings refer to the retirement funding income or the basic salary for the post which ever is applicable.

2. **SCOPE AND APPLICATION**

- 2.1. Senior management as defined in the Basic Conditions of Employment Act 75 (1997) as amended, security, traffic, fire and emergency services personnel; and employees working less than 24 hours per month shall be excluded from overtime payment, or time off in lieu of overtime.
- 2.2. Employees earning more than the overtime earnings threshold provided for in the Basic Conditions of Employment Act 75 (1997) as amended, will be remunerated on straight time basis for overtime worked or will be provided time off for overtime work calculated on a straight time basis, subject to the provisions of this policy. The approving authority and the employee involved to agree beforehand on payment or time off for over time work.
- 2.3. Employees earning less than the overtime earnings threshold provided for in the Basic Conditions of Employment Act 75 (1997) as amended, will, subject to the provisions of this policy, be remunerated for overtime or be given time off in lieu of over time worked at the rates provided in the Basic Conditions of Employment, Act 75 (1997) as amended. The approving authority and the employee involved to agree beforehand on payment or time off for over time work.

3. GENERAL

- 3.1 An employee may for operational reasons, be required to work overtime and any employee appointed into the service must enter into a contract to this effect with Cederberg Municipality.
- 3.2 Overtime work is subject to the provisions of the Basic Conditions of Employment Act 75 (1997) as amended, and the provisions of this policy. In Case of conflict between this policy and the provisions of the Basic Conditions of Employment Act 75 (1997) as amended, the provisions of the act will prevail
- 3.3 An employee may not be required or allowed to work for a longer period overtime than 10 hours during any working week and 3 hours on any working day, except in case of work related to emergency situations.
- 3.4 Overtime work is subject to prior written approval by a competent authority and no overtime may be worked without such written approval being obtained, except in cases of work related to emergency situations. For emergency overtime the competent authority may give verbal approval to the working of such overtime provided such approval be followed-up with a written confirmation. Written standing approval may be granted where justified by operational requirements.
- 3.5 Only officials with delegated authority may approve overtime work and overtime payment.
- 3.6 Overtime only commences after completion of ordinary daily or weekly working hours.
- 3.7 Overtime can only be, claimed for actual hours worked, and exclude traveling time except for standby staff. Overtime for the latter group starts from, the time of call out.
- 3.8 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.
- 3.9 No overtime will be paid for attendance of functions / prize giving, etc. by personal invitation except in cases of compulsory attendance as official representative of Cederberg Municipality, provided that such employee qualifies' for overtime in terms this policy and provided further that such overtime is authorized in advance by the Municipal Manager.
- 3.10 Cederberg Municipality will provide an employee with a meal limited to an amount as determined by the Municipal Manager [or his nominee] when a 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.

3.11 For matters effecting stand by i.e. payment and administration, refer to the stand by policy.

4. PAYMENT

Where overtime is worked by an employee earning below the earnings threshold of the BCEA and such an employee elects to take time-off in lieu of payment for overtime worked, such employee will be granted paid time off, calculated at 1 % times the number of hours worked by the employee.

5. TIME OFF IN-LIEU OF OVERTIME

5.1 Leave / time off in lieu of overtime be granted only for structured and approved overtime, subject to paragraph 3.4.

5.2 Application for leave / time off in lieu of overtime be done on a prescribed application form.

5.3 Leave / time off in lieu of overtime can not be en-cashed except on termination of services.

5.4 Leave in lieu of overtime will be forfeited if not taken within 1 month provided that the time within which leave in lieu overtime should be taken before it is forfeited, may, for operational reasons, be extended to a maximum of 12 months by the Municipal Manager [or his / her nominee].

6. OVERTIME WORK ON PUBLIC HOLIDAYS

6.1 Payment or time off to eligible employees for over time work on public holidays will be dealt with in terms of the Basic Conditions of Employment Act 75 (1997) as amended.

7. OVERTIME WORK ON SUNDAYS

Payment or time off to eligible employees for over time work on a Sunday will be dealt within terms of the Basic Conditions of Employment Act 75 (1997) as amended.

8. ADMINISTRATIVE MEASURES FOR MANAGING AND CONTROL OF OVERTIME

- 8.1 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:
- 8.2 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 and overtime payment. It is the responsibility of each Director [or nominee] to update and maintain the information in the list. The authorising bodies must determine whether the information on the overtime form is accurate and correct before they authorize the form for payment.
- 8.3 The Pay Office or any other body or person authorising overtime payment is responsible to ensure that all payments for overtime are duly authorised by a competent authority. The Pay Office is specifically responsible to compare the overtime forms' signatures with the authorization list provided.
- 8.4 Attendance registers / time sheets, 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 / time sheets serve as source documents to complete overtime sheets.
- 8.5 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 / weekly basis.
- 8.6 Employees who work over time need to be allocated with the appropriate resources required to perform the overtime work.