

SICK LEAVE POLICY

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1. SCOPE OF POLICY

- 1.1 This policy shall apply to all employees employed by The Elias Motsoaledi Local Municipality who fall within the registered scope of the Bargaining Council in the Republic of South Africa.
- 1.2 Clause 5.1 shall not apply to Senior Management, security, traffic, fire and emergency services personnel and employees working less than 24 hours per month.

2. DEFINITIONS.

- 2.1 All expressions used in this policy which are defined in the Labour Relations Act 66 of 1995 and as amended, shall bear the same meaning as in the act and unless the contrary intention appears.
- 2.2 Words importing the masculine gender shall include the feminine.
- 2.3 All reference to days shall be to working days.
- 2.4 A sick leave cycle means the period of thirty six (36) months employment with the same employer immediately following an employee's commencement of employment or following the completion of that employee's existing sick leave cycle.
- 2.5 Senior Management shall be those employees employed as a municipal manager, director, head of department, deputy head of department, director or such post as determined by the relevant Division of the Council.

- 2.6 Medical practitioners shall mean all practitioners as defined by the Health Professionals Council of South Africa (Medical and Dental Practitioners)

3. OBJECTIVES.

- 3.1 To establish common and uniform conditions of service for employees regarding sick leave within the registered scope of the Council, and to replace all previous sick leave policies.

4. PERIOD OF OPERATION.

- 4.1 This policy will remain in force until any changes has been implemented and amended by the South African Local Government Bargaining Council.

5. HOURS OF WORK

- 5.1 All employees are required to work a forty (40) hour working week.

6. SICK LEAVE POLICY.

- 6.1 An employer shall grant an employee eighty (80) days sick leave in a three (3) year cycle.
- 6.2 The employer shall require a medical certificate from a registered medical practitioner if more than two (2) consecutive days are taken as sick leave.
- 6.3 The medical certificate must state the nature of the medical incapacity; the date on which the employee consulted a Medical Practitioner; and must be signed by a medical practitioner registered with the South African Medical and Dental Council.
- 6.4 The employer is further not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request by the employer, does not produce a medical certificate stating that the employee was unable to

work for the duration of the employee's absence on account of sickness or injury.

- 6.4 The divisions of the Council shall be responsible for concluding agreements on additional paid sick leave and other measures to manage the taking accrual and /or conversion of sick leave and administrative arrangements for the taking of sick leave.
- 6.5 An employee who has taken sick leave will on his / her return to work complete the required leave form and attach all relevant supporting documentation.
- 6.6 Management reserves the right to take disciplinary action against any employee where the attendance record of any employee indicates a possible abuse of sick leave.
- 6.7 Where an employee has been on sick leave for excessive period, the Municipality reserves the right to conduct an enquiry into the employees capacity (or incapacity) to perform his job, and to take whatever lawful steps it deems appropriate, including but not limited to the termination of the employee's contract of employment with the Municipality