

UMTSHEZI

Municipality

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Overtime

Policy

## **OVERTIME POLICY**

### **1. DEFINITIONS**

For the purpose of this policy unless the context otherwise indicates:-

1.1“**Umtshezi Municipality**” means a Municipal Council referred to in Section 157(1) of the Constitution.

1.2“**Directors**” shall mean the Managers directly accountable to the Municipal Manager in terms of Local Government Municipal Systems Act 32 of 2000.

1.3“**Supervisor**” means a person who supervises his/her subordinates in terms of the Task Job Evaluation System.

1.4“**Employees**” means all persons in the employment of the Municipality.

1.5“**Overtime**” means working outside of normal hours (8 hours) including Saturdays, Sundays and Public Holidays.

1.6 “**Emergency Work**” means work to be performed without delay and which can not be planned for.

1.7.“**Emergency Personnel**” Means fire, Police, Traffic Officers and Ambulance staff Only

### **2. GOAL**

2.1 To respond to community’s urgent needs in an effective, efficient and sustainable manner.

### **3. OBJECTIVES**

3.1 To ensure that overtime policy respond effectively to crisis and emergency situations with regard to the provision of services.

3.2 To ensure that departments do not overspend the allocation of the overtime budget.

3.3 To define a clearly written procedure in performing of overtime.

3.4 To eliminate the abuse of overtime.

### **4. APPLICATION OF THE POLICY**

4.1 This policy does not apply to:

4.1.1 Workers in senior management.

4.1.1 Workers who earn more than R193 805.00 per annum.

4.1.3 Workers who work less than 24 hours in a month.

## **5. REGULATION OF WORKING OVERTIME HOURS**

5.1 An employer may not require or permit an employee:

5.1.1 To work overtime except in accordance with an agreement, either on a day on which an employee would ordinarily work, Saturday, Sundays or Public holidays.

5.1.2 To work more than three hours overtime on a normal working day.

5.1.3 To work more than ten hours overtime a week except the employees who perform/provide emergency services e.g. Fire, Police, Traffic Officers and Ambulance.

5.2 Employees earning more than R193 805.00 per annum are required to receive paid time-off in lieu of overtime worked.

5.3 An employer must grant paid time-off within one month of the employee becoming entitled to it.

~~5.4 An agreement in writing may increase the period to twelve months.~~

5.5 An agreement concluded with an employee when the employee commences overtime lapses after one year.

## **6. PAY FOR OVERTIME (MONDAYS TO SATURDAYS)**

6.1 An employer must pay an employee at least one and one-half times the employees wage for overtime worked.

## **7. PAY FOR WORK ON SUNDAYS**

7.1 An employer must pay an employee who works on a Sunday a double of the employees wage for each hour worked, unless the employee ordinarily works on a Sunday, in which case the employer must pay the employee at one and one-half times the employees wage for each hour worked.

## **8. PAY FOR PUBLIC HOLIDAY**

8.1 An employer must pay an employee who does not work public holidays and employee who does work on the public holiday double the employees wage for each hour worked.

## **9. PROCEDURE**

9.1 Before the employees perform overtime work, Supervisors/Section Heads must identify the need for a particular task to be performed as well as the volume of work in order to determine the number of hours, taking into account that employees do not deliberately leave the work incomplete for the sake of getting overtime.

9.2 After the identification of the need for a particular task to be performed, supervisors must fill in a request for authority to work overtime form, indicating the name/s of employees to perform the task, nature of the job to be performed and a place.

9.3 Supervisors must take recommendations to the Section Heads/Managers for approval then to the Directors for authorization.

9.4 No overtime may be worked without the express prior authorization of the Director concerned.

9.5 No claim for overtime pay may be made unless a copy of the permission or instruction authorizing that overtime to be worked accompanies it.

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## **10. EMERGENCY**

10.1 In case of employees, filling a form in advance may be practically impossible, and Supervisors must immediately after the execution of a task/ (within 24hours) ensure that the procedure in terms of overtime policy has been followed.

## **11. DETERMINATION OF EARNINGS THRESHOLD**

11.1 The increase of earnings threshold will be determined by the Minister of Labour from time to time.

## **12. FORMULA OF CALCULATING OVERTIME**

### **Sundays and Public Holidays which fall on a Sunday**

Up to 4/ hours – 4. @ 2  
Above 4/hours – Actual Hours @ 2

### **Public holidays which fall on a Saturday**

Actual time @ 2

### **Public holidays during the week**

Up to 8hours – 8hours @Normal Time  
Over 8 hours – Actual hours above normal hours @2

### **Saturdays and weekdays**

Actual Hours worked @1.5

**13. DISPUTES ABOUT THE APPLICATION AND INTERPRETATION OF THIS POLICY**

13.1 Any dispute in terms of this policy will be dealt with as per SALGBC Collective Agreement on Grievance Procedure.

**15. IMPLEMENTATION OF THE POLICY**

14.1 This policy will apply and be effective on the date to be determined and approved by the Council.



**Council Res No. 130.10.13 DD 30 October 2013**

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