
LEAVE POLICY TEMPLATE FOR HR PROFESSIONALS



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LEAVE POLICY

OBJECTIVE

The objective of this policy is to regulate all forms of leave that are accrued and due to employees as a benefit, and to outline procedures to be followed for the granting and taking of such leave.

Policy provisions apply to all employees, that is, permanent employees, temporary employees and casual employees.

POLICY

The following leave policy procedures will apply:

- (1) All employees are entitled to twenty-one (24) working days annual paid leave (excluding weekends).
- (2) None of the statutory paid public holidays will be regarded as a working day for the purpose of leave calculation;
- (3) In the event of an illness or other unforeseeable circumstances, it is the responsibility of the employee to notify their supervisor within a reasonable period;
- (4) Absence from work without approval and/or without a valid reason shall be regarded as misconduct and be dealt with in terms of the disciplinary procedure;
- (5) Leave will be calculated from the date of engagement;
- (6) Employees will not accrue full annual leave benefits whilst absent from work on sick leave, maternity leave or paternity leave which extends beyond the normal maximum of such leave, except in the case of extended absence due to injury during the course of their duties;

Categories of leave

Leave of absence shall be classified as -

- Annual/Vacation leave;
- Sick leave;

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- Family responsibility leave.
 - Maternity leave and
 - Injured on duty or occupational diseases leave

2.1 ANNUAL LEAVE

All employees are entitled to twenty-Four days annual paid leave (excluding weekends). Annual leave is accrued on a monthly pro-rata basis upon completion of every month of service. Annual leave is intended to provide the opportunity for a period of rest and recreation, so employees are expected to take leave within the leave year, when leave is due. Leave may be taken at any time convenient both to the employee and the employer. Business need and personal need should be carefully balanced

ACCUMULATION

Employees are permitted to accumulate a maximum of 24 working days annual leave per year. When an employee's service terminates, for whatever reason, i.e. resignation, retirement, dismissal or death, their accumulated leave is capitalized and the capitalized amount is paid as part of their last month's remuneration. This amount is subject to taxation.

TIMING

- (1) XYZ will grant annual leave not later than six (6) months after the end of the annual leave cycle;
- (2) Application for leave must be made in reasonably good time to allow for planning during an employee's absence. It is recommended that annual leave for all employees be scheduled in advance as follows:
 - a) For 4 working days or less - 10 working days' notice
 - b) For 5 working days or more - 15 working days' notice
- (3) It will remain the responsibility of the employee to ensure that leave applied for has been approved before proceeding on such leave;
- (4) If an employee applies for leave and the leave days include a weekend, the weekend does not form part of the days counted as due. Weekends are thus not part of the twenty one (24) leave days applied for; and
- (5) The Managers shall be responsible for ensuring that leave application forms are submitted to Human Resources so that accurate records are maintained. The HR department shall keep record of leave days due to all employees and keep the managers informed on a regular basis.

HOLIDAY ARRANGEMENTS FOR NEW EMPLOYEES

Where XYZ has agreed to honour holiday arrangements made by a new employee prior to joining XYZ, the employee may take such leave provided he/she has leave credit and there is leave credit then the leave should be unpaid leave. The MM needs to approve such a holiday arrangement.

2.2 COMPASSIONATE/FAMILY RESPONSIBILITY LEAVE

- (1) Compassionate leave of up to five (5) working days per occasion will be granted to employees in the event of the death or serious injury of next of kin and/or immediate family members;
- (2) The employee may be required, in due course, to produce a death certificate or medical certificate in support of their application for compassionate leave; and
- (3) For the purposes of compassionate leave “immediate family members” are regarded as an employee’s spouse/partner and children (including legally adopted children), whilst next of kin is defined as their own parents, parents-in-law, grandparents, brothers and sisters.

2.3 LONG SERVICE LEAVE

- (1) An employee with five years uninterrupted service will be entitled to an additional five (5) Working days leave. This leave accrual will commence in their sixth anniversary year.

2.4 MATERNITY LEAVE

- (1) Employees are entitled to one (1) month paid maternity leave for every three (3) months of uninterrupted service given to XYZ, and the right to return to the same position;
- (2) Employees, who have completed twelve (12) months or more of uninterrupted service, are entitled to four (4) months paid maternity leave and the right to return to the same position. The following conditions apply:
 - Maternity leave may be granted to both male (in which case it will be referred to as paternity leave) and female employees who have the sole responsibility of raising their newly born babies or adopted children under the age of six (6) years;
 - An individual who does not qualify for maternity leave for some or other reason, and has to utilise their vacation and or take unpaid leave instead, maybe granted sick leave in respect of any illness that the employee contracted during such period of absence; or the period of confinement to bed or an institution.
 - An employee, including an employee adopting a child under three(3) months, shall be entitled to receive three(3) months paid maternity leave, with no limits to the number confinements or adoptions. This leave provision shall also apply to an employee whose child still-born.
- (3) Once an employee has given birth, she can return and commence duties if a doctor certifies that she is fit to commence normal duties after a period of six (6) weeks after birth;
- (4) Security of employment is protected during the period of maternity leave;
- (5) Maternity leave must in all cases be uninterrupted and continuous with the confinement. It may furthermore be extended with additional annual leave;
- (6) Maternity leave may not, subject to the provision below, be converted to any other kind of leave after it has commenced;
- (7) Sick leave may be granted with regard to absences from duty as a result of a miscarriage, still birth or termination of pregnancy after maternity leave has

commenced in which case the period of maternity leave which has already been taken immediately prior to any of the said incidents, should not be taken into account for purposes of the restriction above;

- (8) During the period of maternity leave normal annual leave benefits do not accrue;
- (9) Maternity leave should be applied for at least four (4) weeks in advance to allow adequate planning for the employee's absence;
- (10) Before leaving to go on maternity leave the employees shall enter into an agreement with XYZ, stating that the individual will return to work after their confinement.
- (11) Failure to return to work on the due date, without notification of the reason for the delayed return, may be regarded as misconduct and dealt with in terms of disciplinary procedure.
- (12) An employee who takes this leave should make arrangements with the UIF.
- (13) Where a salary review takes place during paid maternity leave, the employee will receive any relevant increase from the effective date due to them.

SERVICE

Paid maternity leave is recognized as continuous service.

MULTIPLE BIRTHS

The policy for multiple births is the same as for single births.

2.5 PATERNITY LEAVE

- (1) Employees who have completed twelve (12) months or more uninterrupted service are entitled to, paid paternity leave of seven (5) consecutive days to be granted from the date of engagement with XYZ.
- (2) Such leave is to be taken within three (3) months of the birth of the employee's biological baby or the legal adoption of a child under six (6) years of age.
- (3) Paternity leave will not accrue if not taken in any year; and
- (4) Proof of birth or adoption will be required before paternity leave is approved.

2.6 RELIGIOUS AND PUBLIC HOLIDAYS

Employees are entitled to take vacation leave to observe their religious occasions where these are not designated as national public holidays.

The public holidays referred to are the following:

New Years Day	1 January
Human Rights Day	21 March
Good Friday	Friday before Easter Sunday
Family Day	Monday after Easter Sunday
Freedom Day	27 April
Worker's Day	1 May
Youth Day	16 June
National Women's Day	9 August
Heritage Day	24 September
Day of Reconciliation	16 December
Christmas Day	25 December
Day of Goodwill	26 December

2.7 SICK LEAVE

- (1) Employees will be entitled to eighty (80) days paid sick leave calculated from date of commencement of employment with XYZ, per three year cycle.
- (2) New employees will accumulate sick leave at a rate of 1 day per month.
- (3) Where sick leave days have been used up, and an employee has not been granted additional leave, any absence from office will be treated as unpaid leave;
- (4) Sick leave application forms, with medical practitioner's certificates attached, must be submitted to Human Resources immediately upon return to work; and

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- (5) A medical certificate will be required from a medical practitioner or any other person who is certified to diagnose and treat patients, and is registered with a professional Council, within three (3) days of returning to work. In the event that treatment was received from non-registered health practitioners (e.g. some traditional healers, homeopaths, etc), an affidavit needs to be presented to XYZ within three (3) days of returning to work as proof of having been for such treatment. Such proof will be required: -
- ❑ For absences in excess of two (2) consecutive working days;
 - ❑ For absences where an employee takes sick leave on a Friday or a Monday, or a day immediately preceding or following a public holiday;
 - ❑ At the discretion of the direct supervisor (e.g. where an employee was reported to have been engaged in other than non-XYZ activities);
 - ❑ Repeat absences in any eight (8) week cycle;
 - ❑ As XYZ so requests; and
 - ❑ As evidence of admission to a hospital or clinic during annual leave.
- (6) Should an employee become ill whilst on annual leave, such portion of their vacation leave may, subject to the submission of the medical aid certificate or affidavit, be converted into sick leave.
- (7) Employees who are away from the office and who are being treated in an institution for the rehabilitation of alcoholism, or drug addiction may be granted sick leave for the period that they are away, provided that a sufficient number of days sick leave are available to the employee in the current sick leave cycle.

2.8 SPECIAL LEAVE

An employee may be granted up to two (2) days special leave per year. Special leave may not be accumulated. Line managers are to control and keep record of all special leave granted to their subordinates. The following situations may warrant granting of special leave:

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- (1) To enable the employee or a family member to undergo medical examinations or medical treatment in large centres.
 - (2) Employees who are away from the office for traditional ceremonies (e.g. attendance at initiation school, qualifying as a traditional healer “ukuthwasa”, etc) may be granted special leave for the period that they are away provided that an affidavit is produced within three (3) days of their return to the office.
 - (3) Relocation as a result of transfer.
 - (4) Relocating residence for reasons other than transfer.

2.9 STUDY AND EXAMINATION LEAVE

- (1) Employees undertaking approved courses of study, privately and on a part time basis, which in the opinion of XYZ will be of benefit to XYZ and to the employee, may, subject to the convenience of XYZ be granted paid study leave to attend such courses. The number of working days will not normally exceed ten (10) working days per annum;
- (2) Paid leave for purposes of writing examinations for approved courses will be granted on the basis of the day of the examination and the working day preceding it. Proof of registration and an examination timetable need to accompany the application for leave. The number of such days will not normally exceed ten (10) working days per annum;
- (3) Where the day of the examination immediately follows a weekend (i.e. falls on a Monday) or a paid public holiday, only the day of the examination will be granted; and
- (4) Leave must be applied at least three (3) weeks in advance on the prescribed form and a copy of the examination timetable attached.

2.10 UNPAID LEAVE

- Leave without pay may be granted on good cause, only to those employees who have used their full leave entitlement. This will be assessed by the relevant manager or any person delegated by them, who will approve or deny such a request; and
- In all cases of unpaid leave, provision is to be made for deductions from the employee's salary to maintain contributions to Provident/Pension and Medical Aid funds.

PAYMENT IN LIEU OF LEAVE DUE

Employees will not be entitled to payment in lieu of leave due except upon termination of employment when accumulated leave will be paid out. Employees need to be aware that when they leave XYZ, only leave not taken up to a maximum of five (5) days accrued per year will be paid out. The rest of the leave days, if not taken at the point of termination will be forfeited.

APPLICATION FOR LEAVE

All forms of leave are to be applied for on the prescribed Leave Application Form obtainable from the Human Resources and submitted to the direct supervisor of the employee for approval and sent to Human Resources for capturing.

VARIATIONS FROM POLICIES

In the event of circumstances arising, which justify a departure from the provisions of the above policies, the MM will use his/her discretion regarding those alternative provisions and measures. XYZ may also, at its discretion, prescribe special leave privileges for an employee or classes of employees, and also make recommendations and give directions that are not covered by the above policies.

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