

**LEAVE POLICY**

1.0 Document Configuration Management

1.1 Document Identification

| **File Name** | Leave Policy |
| --- | --- |
| **Version** | V- 02 |
| **Sensitivity Classification** | Company Confidential Internal Use Only |
| **Document Owner** | Human Resources Department |

1.2 Preparation

| **Action** | **Name** | **Role/Function** | **Date** |
| --- | --- | --- | --- |
| Prepared by | Wallace Macharia | HR Assistant | November 2019 |
| Reviewed by: | Chrispinus Odhiambo | Group HR  Operations Officer | November 2019 |
| Reviewed &  Approved by: | Samuel Kariuki | Chief People Officer | December 2019 |

1.3 Release

| **Version** | **Date Released** | **Change Notice** | **Remarks** |
| --- | --- | --- | --- |
| V – 01 | May 2016 |  |  |
| V – 02 | December 2019 |  |  |
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1 ***Leave Policy***

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2.0 Introduction

The intent of this policy is to inform employees of their entitlements and requirements regarding all forms of leave.

**3.0** Scope

This policy is applicable to:

i. All **permanent** and **temporary** employees employed by Cellulant. ii. All other employee types are governed by the Employment Acts of the specific countries.

iii. The leave cycle for all employees runs from January to December for all types of leave.

4.0 Purpose

The purpose of this policy is:

i. To provide a clear understanding of the different leave entitlements, when and how they apply;

ii. To ensure that Cellulant, at a minimum, complies with the provisions of labour legislation which regulate statutory leave;

iii. To ensure that leave is managed consistently across the business.

5.0 Granting of Leave

i. Granting and approval of leave is subject to consideration of operational needs of the company as well as statutory provisions.

ii. The company reserves the right to direct leave entitlement in terms of timing and duration within the confines of statutes as well as business requirements. iii. Leave applications should be done on-line through the HRIS system (Tribe HR).

6.0 Leave Application Process

i. Applications for each leave must be submitted in accordance to the provisions for each type of leave.

ii. Failure of employee to resume duty after the leave period will be deemed negligence or absconding of duty and may be subject to disciplinary action as stipulated in the disciplinary policy.

7.0 Managing Accrued Excess Leave

i. The responsibility is on the employees to ensure that they take their leave before the end of the respective leave cycle in which the leave accrued with at least 10 days being consecutive.

ii. It is the responsibility of all line managers to ensure that an annual leave plan is agreed for all employees and is managed appropriately to prevent excess leave accumulating.

iii. To minimize excess leave risk, managers are required to manage their teams’ leave.

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8.0 Fair Application of the Leave Policy

i. Managers must be fair and reasonable in allowing employees to take their annual leave commitment. Although leave is dependent upon the operational circumstances, management cannot consistently refuse employee requests for entitled leave. It is management’s role to manage resources efficiently and effectively to ensure operational requirements are met together with a balanced working environment, including leave.

ii. Employees on leave may be recalled at any time prior to the completion of their leave if there is a job exigency. The balance of the leave not taken will be carried forward.

iii. Should an employee’s leave application not be approved and if the employee feels such decision is not reasonable and contravenes the company’s leave policy; the employee should escalate the matter to the human resources department.

9.0 Responsibility

It is the responsibility of all employees to act within the mandate of this policy. Any violation or abuse of the terms of this policy will result in the necessary disciplinary action being taken.

Responsibilities for managers include:

i. Ensuring that all leave is administered via the current online leave system; ii. Ensuring that this policy is correctly applied and monitored.

iii. Being accountable for the management of leave in respect of employees reporting to them;

iv. Ensuring that employees take at least 10 working days leave during the annual leave cycle to avoid burnout and the accumulation of excess leave;

v. Ensuring employees develop and share semi-annual leave plans for approval. vi. Ensuring approved leave plans are shared with Human Resource for tracking. vii. Initiate proper handover whenever an employee is proceeding for leave.

Responsibilities for human resource include:

i. Keeping track of leave plans.

ii. Receive and keep a record of sick sheets.

iii. Administration of leave system.

iv. Collaborate with line managers to drive down leave liability.

Responsibilities for employees include:

i. Ensure they develop and share their leave plans with their line managers for approval.

ii. Ensure all leave applications are done via leave systems.

iii. Provide sick sheet documentation on resumption of work.

iv. Give proper handover before proceeding to leave.

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10.0 Types of Leave

10.1 Annual Leave

i. Leave days entitlement are stipulated in the employment contracts in accordance with the Employment Act of the country of residence of the employee. ii. Leave days should be applied in accordance to the leave plan before the commencement of the leave.

iii. Leave accrues on a monthly basis.

iv. Different countries have statutory benefits E.g. leave allowance which Cellulant will offer according to the specific country of operation that the employee is operating in.

v. For employees who have handed in their resignation, accrued annual leave may be taken during an employee’s notice period on consultation with the supervisor and human resources department.

vi. Employees may not work for any other employer during any period of annual leave.

vii. Annual leave cannot be paid out (encashed) whilst the employee is in the employ of the company. The company will only pay out the employee’s outstanding annual leave balance upon resignation/termination of employment.

viii. Cellulant encourages and expects staff to take their full annual leave entitlement during the current leave year. Notwithstanding this:

a) Up to ten (10) days’ annual leave can be carried forward from one leave year to the next. Staff must notify their manager of any such

annual leave that is carried forward and approval granted, and

human resources department is notified.

b) Any leave days accumulated in excess of fifteen (15) days entitlement shall be forfeited to the Company at the end of eighteen months (i.e.

before the end of June). The authorization of carry forward of leave

should have documentary evidence that applications for leave have

been refused due to work exigencies.

c) Employees shall make every effort to take leave in the year it is

earned. However, annual leave may be carried forward to the

following financial year by an employee with prior approval of the

Line Manager and the Head of HR.

d) The authorization of carry forward of leave should have documentary evidence that applications for leave have been refused due to work

exigencies.

e) In special circumstances, annual leave more than five (5) days may be carried forward from one leave year to the next, subject to prior

agreement by the individual’s manager, for example: where a member of staff has been unable to take his/her full leave entitlement due to

work commitments with documentation evidence.

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10.2 Annual Shutdown Period

a) An annual shutdown takes place between Christmas and New Year Period. This ‘shutdown’ applies only to roles that are not critical over this period. Therefore, except for critical roles and required ‘skeleton staff’, employees will be obligated to take leave during this period. The relevant working days will be deducted from the employee’s annual leave entitlement.

b) If the employee has insufficient leave, managers will be required to use their discretion to allow the employee to continue into negative leave or to rather work over this period. c) The company will communicate annually to all employees the envisaged shutdown date for December/January to enable employees to plan their annual leave accordingly.

10.3 Public Holidays

a) The company officially closes for gazetted public holidays.

b) Employees do not have to apply to take these days off and these will not be deducted from annual leave.

c) If a gazetted public holiday falls within the annual leave period, the leave balance will be adjusted. It does not follow that one automatically extends their leave without consultation with their supervisor.

**d)** Staff who work during the public holiday due to the nature of their work E.g. shifts, will be granted a day off in lieu of the public holiday worked as the first option or be paid the equivalent of double the employees normal wage rate for the day. In instances where the employment act contradicts with Cellulant’s provision, the employment act supersedes Cellulant’s provision.

10.4 Sick Leave

10.4.1 Sick Leave Entitlement

a) Every employee is entitled to a maximum of thirty (30) days of sick leave at full pay in the case of illness or other incapacity and to an additional thirty (30) days at half pay in a period of 12 months. In instances where the employment act contradicts with Cellulant’s provision, the employment act supersedes Cellulant’s provision.

b) Sick leave should be applied within 24 hours of falling ill, or within 1st day of resuming duty if hospitalized.

c) Line managers should always notify the HR whenever a team member is on sick leave and ensure days used are tracked on the leave system.

d) Sick leave cannot be accumulated and lapses at the end of the calendar year e) Additional sick leave over and above the policy stipulation will only be granted at management discretion and in exceptional circumstances.

f) Any sick leave taken in excess of the 30 days sick leave provision will be deducted from the employee's annual leave and thereafter will be considered to be unpaid leave. g) Where an employee has been on sick leave for excessive periods or has exhausted his/her sick leave, the company reserves the right to conduct an enquiry into the employee’s capacity (or incapacity) to perform his/her job. This process will be followed in line with the company’s incapacity/disciplinary procedure.

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10.4.2 Sick Leave Medical Certificates

a) An employee will be required to produce a sick leave medical certificate or a sick sheet, signed by a registered medical practitioner for the period of absence when they are sick on the first day of reporting back to work.

b) Failing to produce a medical certificate will result in leave being recovered from annual leave. Where no annual leave is available leave will be treated as unpaid leave.

c) Employees unable to work because of an accident or illness are required to notify their line manager of their absence and likely duration as soon as circumstances permit.

10.5 Family Responsibility Leave Entitlement/Compassionate Leave

a) An employee is entitled to five (5) consecutive working days paid family responsibilities leave days per annual leave cycle.

Family responsibility leave will be granted in the following instances:

i. When an employee’s child is sick;

ii. In the event of the death of an immediate family member. Immediate family is defined as the staff’s registered spouse, staff’s dad and dad in law, staff’s mum and mum in law, son or daughter.

iii. For Religious leave (i.e. non-gazetted religious leave). This is only applicable for those employees belonging to the respective religions and wishing to observe the necessary high holy days.

b) Family responsibility leave cannot be accumulated and lapses at the end of the annual leave cycle.

c) At management’s discretion, supporting documentation may be requested before family responsibility leave is granted.

10.6Maternity leave

Cellulant provides maternity leave benefits for permanent employees who: i. are pregnant;

ii. are adopting children;

iii. have suffered a miscarriage in the third trimester;

iv. have given birth to a still-born infant.

10.6.1 Maternity Leave Benefits and Conditions

a) In accordance with the Employment Act, the company will grant three (3) month’s maternity leave to female employees. The three months are counted as 90 continuous days. In instances where the employment act contradicts with Cellulant’s provision, the employment act supersedes Cellulant’s provision

b) Different countries have statutory benefits e.g. Maternity leave allowance, nursing benefits which Cellulant will offer according to the specific country of operation that the employee is operating in.

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10.6.2 Stillbirth and Miscarriage

a) An employee who has a miscarriage during the third trimester, or bears a stillborn child is entitled to six weeks' paid maternity leave. Employees will be eligible to be paid 100 % of their cost to company for the six-week period.

10.6.3 Adoption

a) The company will grant three months' paid adoption leave in respect of the adoption of children up to the age of one year. Adoption leave is not applicable to foster children.

b) The employee will be paid 100% of their cost to company for the three months period provided that the employee is employed for twelve consecutive months service prior to the date of adoption. Employees that are employed less than twelve months will be granted unpaid adoption leave of up to three consecutive months. c) A copy of the order issued by the children’s court must be provided.

10.6.4 Commencement and granting of Maternity Leave

a) An employee is entitled to commence maternity leave four (4) weeks before the expected date of the birth of the child unless:

i. The employee wishes to continue working and produces a medical certificate from a medical practitioner or midwife certifying that continuation of work does not pose a threat to the health and safety of the expectant mother or unborn child;

ii. A medical practitioner or midwife certifies that it is necessary for the employee’s health or that of the unborn child that the employee commences maternity leave at an earlier date.

b) Maternity leave should be applied at least two (2) months before the employee intends to commence maternity leave.

c) An employee may apply for an extension of the three months maternity period by a maximum of one additional month if the employee has annual leave due. Manager’s approval of the extension will be based on the operational requirements of the business. Employees will be included in the annual salary increase process whilst on maternity leave.

d) Employees that are on paid maternity leave will be eligible to earn their full performance bonus.

10.6.5 Return to Work

i. Employees may not work for six (6) weeks after the birth of the child, unless a medical practitioner certifies that she is fit to do so.

ii. On return to work the employee must return on no less favorable terms and conditions of employment as those she had enjoyed before commencing maternity leave.

iii. If an employee fails to return to the company at the end of the maternity/adoption leave period, any remuneration and benefits paid to the employee by the company

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will be recovered in full by the company. However, the employee may be allowed to have flexible work arrangements at the discretion of the line manager.

10.6.6 Time off for Pre-natal Appointments

Time off work will be granted for pregnant employees for their pre-natal check-ups, subject to:

i. The submission of a medical certificate confirming pregnancy;

ii. Authorization for such leave of absence being obtained twenty-four hours before such absence;

iii. Proof of attendance at the clinic or doctor.

Where possible, appointments for pre-natal check-ups should be made taking into consideration the company’s core business hours. This means that employees should try to schedule their appointments either in the early morning or late afternoon, thereby requiring a half day off work.

10.7 Paternity Leave

i. Employees are entitled to fourteen (14) days' paid paternity leave per annual leave cycle following the birth of a newborn child or adoption of a newborn child up to the age of one year. In instances where the employment act contradicts with Cellulant’s provision, the employment act supersedes Cellulant’s provision.

ii. Paternity leave cannot be accumulated and must be taken within three months of the birth or adoption of the child.

iii. Application must be made at least two months before the employee intends to commence on paternity leave and before commencing, they should provide a birth notification or birth certificate or adoption court order for adopted children.

iv. For the employee to proceed on paternity leave, the spouse should be the registered one in the employee records and an affidavit or marriage certificate for proof of marriage.

v. In exceptional cases where an employee has more than one wife e.g. Muslim employees, the employee needs to declare this in the employment records and have the evidence of proof of marriage.

10.8 Special Permission Leave

i. Cellulant recognizes that, in addition to its obligation to grant statutory leave, circumstances may arise that warrant the granting of special permission leave that is not catered for by the other leave categories.

ii. Special permission leave may be granted in exceptional circumstances only and at the discretion of the Management. For example, representing one’s country internationally for sport, or participation in company approved and arranged Corporate Social Investment initiatives may be regarded as special permission leave.

iii. Depending on the circumstances, special permission leave may be granted as either paid or unpaid leave.

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iv. Application should be made two weeks before commencement of the leave. v. Supporting documentation may be requested before special leave is granted.

10.9 Study Leave

a) The company grants study leave to all permanent employees who undertake courses of study as approved by the company from time to time, at a registered educational institution.

b) The course of study i.e. course/certificate/degree/diploma chosen by the employee must benefit the company and the employee in the capacity in which s/he is employed or according to career development objectives as agreed between the employee and his/her manager and as recorded in the employee's personal development plan in the Performance Management System.

c) The maximum number of study leave granted will be ten working days per annum. d) Application should be made two (2) weeks in advance.

Study leave will be granted on the following basis:

i. One day per subject may be granted for revision purposes for the day preceding the examination, where such a day falls on an ordinary working day, except in instances where the examination day falls on a Monday or after a public holiday, when no leave will be granted;

ii. Study leave is granted on an annual calendar year basis which commences from 1 January up to and including 31 December of any specific year.

iii. Study leave cannot be accumulated and lapses at the end of the annual calendar year.

iv. Applications for study leave for examination purposes and for class attendance must be supported by reasonable proof such as examination timetable or confirmation of examination admission from the learning institution.

Generally, employees will not qualify for study leave in respect of any subjects previously failed or supplementary examinations. However, for technical certifications manager’s discretion will apply as to whether study leave can be granted.

10.10 Unpaid Leave

During any approved period of unpaid leave, the following are the provisions: i. The employee will not be paid their monthly remuneration

ii. Application for unpaid leave should be made two weeks before commencement and at least one month for the Management Team.

iii. A staff will continue to enjoy all other benefits such as medical cover. iv. Staff will be required to handover work tools e.g. laptop to the Country Manager for v. continuity should any data in it be required during the absence.

vi. If circumstances change and the staff is able to return to work earlier than the reporting

vii. date, he/she will be required to notify HR prior and in writing on the new reporting viii. date.

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ix. Extensions of the unpaid leave will only be considered upon receipt of a formal request 7days before the originally scheduled return date.

x. Upon the expiration of the leave, staff will return to the current position with all other contractual terms remaining the same.

xi. If the staff is not able to return to work at the end of the unpaid leave, the staff will be required to notify HR prior to the reporting date and further hand in a letter of resignation and adhere to the contract stipulations.

xii. Staff will not be allowed to hold any other employment while still in employment in employment with Cellulant.

xiii. This type of leave cannot be taken in concurrence with any other types of leave.

Incentive Trips and Travel Vouchers

i. Employees that qualify to participate in any of the company’s Incentive Trips (Sales Incentive Trip, Excellence Programme, Global Trip etc) are required to use the special ii. permission leave category to apply for leave. However, this will not affect the iii. employee’s annual leave balance.

iv. Employees that are awarded travel voucher incentives are required to apply for annual

v. leave when redeeming these vouchers for a holiday.

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