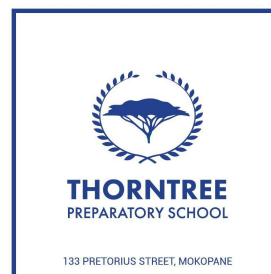


# THORNTREE PREPARATORY SCHOOL

## STAFF LEAVE POLICY



<b>Document Name</b>	Staff Leave Policy
<b>Document Number</b>	TPS_C2_2.2.1.7
<b>Authority</b>	Head/Secretary
<b>Administration of Policy</b>	Admin/Heads
<b>Effective Date of Policy</b>	01/01/2016
<b>Approved by</b>	Head
<b>Scope of Policy</b>	Staff, Students, Parents
<b>Last Revision Date</b>	01/01/2021
<b>Next Review</b>	01/01/2022
<b>Related Policies</b>	<p>The Constitution of the Republic of South Africa (Act 108/1996.)</p> <p>The South African Schools' Act (Act 84/1996) and subsequent amendments.</p> <p>The National Education Policy Act (Act 27/1996) and any applicable policies determined in terms of this Act, including the Regulations for Admissions to Schools.</p>
<b>Addenda</b>	

<b>Approved by:</b>	<b>Approved by:</b>
   <hr/>	   <hr/>
<b>Helyn Tooley (Principal)</b> MJB Properties CC	<b>Ursula van den Berg</b> MJB Properties CC

# THORNTREE PREPARATORY SCHOOL

## STAFF LEAVE POLICY

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# THORNTREE PREPARATORY SCHOOL

## STAFF LEAVE POLICY

### 1 TITLE: STAFF LEAVE POLICY

### 2 PREAMBLE

The purpose of the policy is to regulate leave matters of all employees of Throntree Preparatory School and to ensure that employees know their entitlement with regard to the allocation of leave, the responsibility to apply for leave in the prescribed manner(s) and for good governance of leave at Throntree Preparatory School

This Leave Policy will apply to all Employees of Throntree Preparatory School

### 3 POLICY

The Employee's leave benefits shall be in accordance with the provisions of the Basic Conditions of Employment Act (BCEA).

All leave must be applied for by way of submission of an application for leave form. Leave (other than sick leave) may only be taken if granted by the Employer.

#### 3.1 Annual Leave

Full time employees are entitled to a minimum of 15 working days' leave per year in terms of the BCEA ("statutory leave"), per employment cycle of 12 months.

- Statutory leave shall accrue at a rate of 1,25 days per month (full time employees).
- (Alternative) The Employee agrees that, in view of his/her part-time status, leave will be calculated on a basis of one (1) day's leave for every seventeen (17) days worked / ~~one (1) hour's leave for every seventeen (17) hours worked (delete).~~

All leave must be taken during school closures or at suitable times during the School's academic holidays as approved by the Employer. This does not apply to sick leave or family responsibility leave

Adhoc leave required outside school academic holidays shall be applied for by means of a leave application form and the granting thereof will be determined by the discretion of the employer as weighed against the academic needs of the school.

Although academic employees may anticipate taking time off during academic holidays, this is subject to the completion of all the Employee's duties and/or School requirements. The Employee will be required to attend at work at least 2 working day(s) prior to the commencement of each term and not less than 2 working days when schools close at the end of the academic term; and may be required to tender his/her services at any time during such holidays as may be required by the operational / extracurricular requirements of the School.

No statutory leave may be accumulated and forfeiture of any leave shall have no value, reimbursive or otherwise.

The Employee agrees to payment for any period of leave on the usual pay day following the leave having been taken.

#### 3.2 Sick Leave and Ill Health

The Employee shall be entitled to paid sick leave in accordance with the provisions of the BCEA, i.e.

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- (a) During each sick leave cycle of thirty-six (36) months' continuous employment with the School, the Employee shall be entitled to a maximum number of thirty (30) paid working days sick leave.
- (b) During the first six (6) months of employment, Employees are only entitled to one (1) day's sick leave per twenty-six (26) days worked. Thereafter, the Employee is entitled to his/her full sick leave cycle entitlement, subject to the conditions highlighted herein.

Sick leave may not be accumulated from one sick leave cycle to the next, and unused sick leave has no cash surrender value and cannot be 'encashed' by the Employee.

Should the Employee exceed his/her statutory sick leave entitlement during a particular cycle, further sick leave during that cycle will be unpaid until the start of the next 3-year cycle.

Should the Employee be absent for more than two (2) consecutive work days, or on more than two (2) occasions during an eight (8) week period, the Employee shall not be entitled to paid sick leave unless he/she provides the Employer with a valid medical certificate confirming that he/she was unable to work for the duration of the period of absence on account of illness or injury. A medical certificate may also be required by the Employer at other times and a leave form must be completed for all absences.

The Employee must inform the Head or his/her designate of any absence before the start of the work day on the day of such absence.

The School reserves the right to expect the Employee to subject him/herself to a medical examination by a medical practitioner appointed by the School, and at its expense, to obtain a medical opinion regarding any serious injury, repeated or chronic illness or alleged ill-health - whether temporary, permanent, partial or full incapacity as a result of ill health or injury.

Further information in respect of leave benefits, is as per Basic Conditions of Employment Act.

### 3.3 Family Responsibility Leave

Family Responsibility leave applies to an employee who has been in employment with an employer for longer than four (4) months.

An employer, upon receipt of reasonable proof, shall grant an employee during each annual leave cycle at the request of an employee, a total of five (5) working days paid leave, which the employee is entitled to take, either when:

- The employee's child is born;
- The employee's child is sick;
- The employee's spouse or life partner is sick;
- In the event of death of:
  - o The employee's spouse or life partner; or
  - o The employee's parent, adoptive parent, parents-in-law, Grandparent, child, adopted child, grand child or sibling.

### 3.4 Maternity Adoption and Surrogacy Leave:

An employee including an employee adopting a child under three (3) months, shall be entitled to receive four (4) months unpaid maternity or adoption leave with no limit to the number of confinements or adoptions. This leave provision shall also apply to an employee whose child is still-born.

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### STAFF LEAVE POLICY

When a child from zero (0) to four (4) years is adopted, adoption leave will be granted to an adopting employee. An employee is entitled to receive four (4) months unpaid adoption leave after the legal adoption procedure.

When a child older than four (4) years is adopted, adoption leave will be granted to an adopting employee. An employee is entitled to receive three (3) weeks unpaid adoption leave after the legal adoption procedure.

In case of Surrogacy a partner that, as per the Surrogacy Agreement, has been assigned to perform the role of the birthmother (receiving parent) shall be entitled to unpaid maternity leave of three (3) months.

In events referred to above the child's birth certificate and adoption order or Surrogacy Agreement must be submitted to the Employer.

When a female employee applies for maternity leave, a doctor's note will be attached to the application indicating the expected date of delivery.

An employee who goes off from duty for maternity leave will complete all documentation before the start of the maternity leave.

Maternity leave may commence four (4) weeks before confinement.

Once maternity leave has commenced an employee may not return back to work within before the expected date of delivery and six weeks after the date of delivery, unless the employee so applies in writing and her application is supported by a doctor who certifies that she is in good health and may return to work.

An employee who qualifies for unpaid maternity leave must apply for and claim benefits from the Department of Labour (Unemployment Insurance Fund / UIF). The payment of benefits will be determined by the Department of Labour (and not by the employer.)

A copy of the legal adoption approval forms should be attached to the application for leave for purposes of adoption.

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