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Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

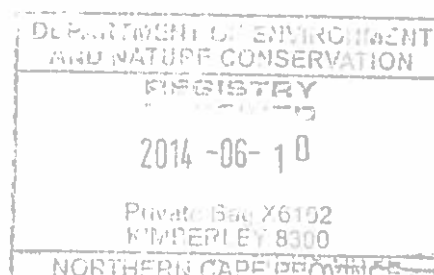
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DEPARTMENT OF ENVIRONMENT AND NATURE CONSERVATION

POLICY ON STANDBY ALLOWANCE

HUMAN RESOURCES MANAGEMENT
01 DECEMBER 2013

A PROSPEROUS AND EQUITABLE SOCIETY LIVING IN HARMONY WITH OUR NATURAL RESOURCES



1. CONCEPTUAL BACKGROUND

DEPARTMENTAL POLICY GUIDE-LINE: STANDBY ALLOWANCE

In terms of the Public Service Co-ordinating Bargaining Council Resolution 3 of 1999 and the Public Service Regulations 2001, as amended, departments were given the mandate to develop policies and programmes which would enhance their managerial actions especially in respect of their human resource matters. The effect of the aforementioned is that departments are capacitated to develop their own policies and guidelines which will suit their needs, and with this added advantage those departments have greater autonomy in the day-to-day management of their human resource matters.

It can also be mentioned that in 1999, the then Director General for the province indicated that it was necessary to develop universal policies for the province, especially in those areas which are considered transversal. Although the then Director General had the intention to develop provincial policies for transversal issues, such intentions never materialized. For this reason, departments are still dependent on themselves to develop even those transversal policies until such time that provincial policies are developed.

1.1 PREAMBLE

The purpose of this policy is to set guidelines and parameters on issues relating to standby allowance and ensure that employees who qualify for standby allowance receive it. It becomes necessary from time to time for employees occupying certain critical positions to avail themselves for standby duty for periods outside of normal working hours. In such instances, specific regulations and guidelines apply.

1.2 DEFINITIONS

Head of Directorate: Means the Senior Manager responsible for a Program

Supervisor: Means Head of component/office/regional office

Emergency: A situation that may hold a serious threat for the assets of the Department or the life of a human being and or particular situation dictating standby duty to be performed.

1.3 LEGISLATIVE FRAMEWORK

- Public Service Coordinating Bargaining Council Resolution No. 3 of 1999
- Labour Relations Act [No 66 of 1995]
- Basic Condition of Employment Act [No.75 of 1997]
- Occupational Health and Safety Act [No. 85 of 1993]
- Department of Public Service and Administration Financial Manual, 2007
- Public Service Regulation, 2001



2. POLICY STATEMENT AND APPLICATION SCOPE

2.1 PRINCIPLES

- The standby allowance shall be implemented in a responsible and cost effective manner at all times.
- Employees shall be on standby only when it is necessary and in the interest of the Department.
- Equity and fairness. Employees who are on standby should be rotated on a regular basis and not be the same person every time.

2.2 POLICY PROVISIONS

i. Distinction between overtime and standby allowance

Overtime and standby allowance are totally different measures and thus utilised for different purposes. If an employee does deliver actual service after hours or during weekends, he/she is entitled to receive overtime remuneration. If an employee is on standby but his services are not required during the approved period for standby allowance, he/she will nevertheless receive standby allowance. An employee can receive both overtime and standby allowance during the same period.

ii. Standby allowance rate

Standby allowance is determined by DPSA and is indicated in the DPSA Financial Manual. This rate is however subject to review on an annual basis. Should the above-mentioned amount appear to be insufficient, a higher rate should be negotiated collectively and revised in conjunction with the Department of Public Service and Administration. The remuneration of standby allowances should be covered by the budget of the respective program.

iii. Responsibilities

- In order to qualify for standby allowance there must be a particular function to be performed as well as a risk. (essential service/emergency situations)
- To be on standby duty, an employee shall so be instructed in writing or his/her name should appear on a standby roster.
- Only particular officials responsible for the specific functional duties will be eligible for standby duty.
- A standby allowance is designed to compensate employees curtailment of freedom of movement and not as a source of additional income.

- Standby allowances must be limited to the utmost and strictly controlled.
- A register or record of standby duty must be kept and an official not registered for standby duty will not be eligible for standby allowances.
- Standby duty will commence on a specific date and time and will terminate on a specific date and time. The cycle will be for 24 hours (the tariffs paid per 24 hours) and not more than 14 days continuously to ensure effective management of the process.
- The register for standby duty must be submitted to the Program Manager on a quarterly basis as the need arises
- Management will have the flexibility of also identifying employees to be on standby under special circumstances e.g. floods, special projects, emergencies.
- While on standby, an employee must comply with all prescripts of the Occupational Health and Safety Act and the Code of Good Conduct.
- If an employee on standby duty is called to perform a function and he/she cannot comply, he/she may be guilty of misconduct and will be dealt with in terms of the disciplinary process.
- Standby allowances must be authorized by supervisors and approved by Program Managers

2.3 SCOPE OF APPLICATION

This policy applies to all employees of the Department of Environment and Nature Conservation who may occupy such critical positions to warrant the demand for stand by duty.

3. POLICY FRAMEWORK

3.1 IDENTIFICATION AND CONSULTATION OF STAKEHOLDERS

This policy document was distributed to staff members within the department and their feedback and inputs are included where changes were suggested and motivated. Information sessions were also held as part of the consultation process. The recognized Labour Unions are not excluded in the process as they do have shop stewards within the department, and them being part of the departmental staff, thus had the opportunity to participate in the process. Furthermore, it needs to be mentioned that the department cannot negotiate with the Unions (Organized Labour) as a separate entity on this policy. Especially, because there are matters of mutual interests that must be dealt with in the formal structures created for this purpose, such as the Provincial Bargaining Council.

3.2 IMPLEMENTATION STRATEGY

It is the responsibility of each Head of department to ensure that this policy is carefully followed within the department. All managers should make members of their employees aware of the obligation to familiarize themselves with and follow this policy.

An implementation plan will be drafted which will outline how and when this policy will be implemented. The plan will be drafted two months after the implementation date of this policy. In order to ensure adequate implementation of this policy the human resource unit will compile an infrastructure investment (in terms of human capital) and policy management plan. The plan will be updated on an annual basis and will contain details on future guidelines for this policy. The financial implications if any will be indicated on the plan in order to ensure that funds are available or availed.

Policy implementation date

This policy will be effective as from 01 December 2013.

3.3 FINANCIAL IMPLICATIONS

This policy will be funded by the Human Resource Unit.

3.4 COMMUNICATION

This policy should be communicated through the respective directorates. However, the most important unit to contact would be Human Resources.

3.5 COMPLIANCE, MONITORING AND EVALUATION (M&E)

3.5.1 Control measures

Supervisors must ensure that –

- Standby duty is minimized.
- There is adequate control over the payment of standby allowance.
- Record is kept of all standby duties.
- Standby allowance is cost-effective.
- Funds are available to finance this expenditure.
- Standby duty must be performed, while at the employees private residences, except for extra-ordinary circumstances.
- Employees do not perform standby duty while on leave.



- Standby duty will commence on a specific date and time and will terminate on a specific date and time. The cycle for standby duty will be for 24 hours and will not exceed 14 continuous days, with the understanding that an employee on standby will be afforded at least 2 weekends off during any month.
- Staff is not to be utilized for standby duty to such an extent that the quantity and quality of work performed during normal hours of attendance as well as during periods of overtime duty are adversely affected.

3.5.2 DELEGATIONS

As the Collective Agreement and Public Service Regulation do not provide guidelines for standby allowance the Department is authorized to provide its own policy guideline regarding this matter. The head of directorate should authorize the standby allowance where there is a need for standby.

3.6 POLICY REVIEW

This policy may be reviewed from time to time to align it with new developments in law or policy directions of the employer. This policy will be reviewed annually in the third quarter of each financial year. However, a special provision will include a once off emergency amendment of the policy in the first quarter of each financial year.

3.7 INTERIM MEASURES

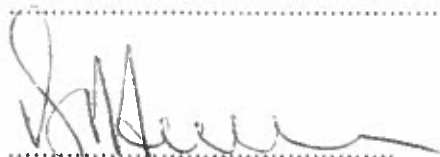
This is an interim policy document for this Department until such time that a provincial policy has been developed.

4. ADOPTION OF POLICY

Approved / ~~Not approved~~

Comments:

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D. VAN HEERDEN
 HEAD OF DEPARTMENT

2013/11/29.
 DATE