



health

Department of Health
NORTHERN CAPE

Policy on Overtime, Night duty and Standby Allowance

Version control

Version : V01

Publishing Date : March 2014

Review Date : After 3 years but not later than 5 years after the publishing date

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Approved by

Head of Department

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Date 26/03/14

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Policy Aim

1. The aim of this policy is to regulate the payment of overtime, standby and night duty allowance.

Policy Scope

2. This policy applies to all employees of Northern Cape Department of Health, excluding SMS members.

Policy Statement

3. It is the policy of the Northern Cape Department of Health that it shall remunerate:

3.1. Overtime duty

- 3.1.1. Remunerated overtime duty is to compensate employees (excluding employees in the management echelon) for additional duties, which they perform in specific circumstances in excess of their normal working hours by order of the Head of Department. The department may provide compensation through time off or additional pay.

3.2. Conditions

- 3.2.1. Only duty in excess of the prescribed hours of attendance authorized by the Head of Department may be considered for overtime remuneration.
- 3.2.2. Duty performed by an employee during a period of leave is not considered for purposes of the payment of overtime remuneration and leave must be cancelled.
- 3.2.3. When considering overtime duty the head of department will take into account the following:
 - 3.2.3.1. The estimated expenditure of the planned overtime.
 - 3.2.3.2. The circumstances, which necessitated the performance of overtime duty.
 - 3.2.3.3. That the number of hours overtime performed per month does not exceed 30% of an employee's basic salary, and if it did exceed 30% a clear motivation of the circumstances that necessitate it, must be provided.

- 3.2.3.4. The steps, which were taken to prevent the performance of overtime duty, for example redistribution of duties among available staff, re-allocation of staff, temporary utilization of staff from other divisions.
- 3.2.3.5. Particulars of any voluntary (unpaid) overtime duty performed by staff in connection with the task in respect of which the remunerated overtime is requested and the work in the division, subdivision or office in general preceding six months.
- 3.2.3.6. If no voluntary overtime duty has been performed, the reasons therefore.
- 3.2.3.7. The Persal salary numbers and ranks of employees who will be required to perform overtime duty.
- 3.2.3.8. The estimated duration of the overtime duty.
- 3.2.3.9. When the performance of overtime duty is aimed at the completion of work that has fallen in arrears, the circumstances should be investigated.

3.3. Sunday overtime

- 3.3.1 The department will provide compensation for Sunday work when an employee is requested to work paid overtime:
 - 3.3.1.1. On a Sunday or other public holiday, if the employee does not normally work on such a day, or
 - 3.3.1.2. On a day the employee normally has off to compensate for work on a Sunday or other public holiday.
- 3.3.2. The department will compensate authorized Sunday work by:
 - 3.3.2.1. Paying the employee concerned two times his/her normal hourly remuneration, or
 - 3.3.2.2. Granting time off equal to the time worked.

3.4. Night overtime

- 3.4.1. The department will provide compensation for night overtime when:
 - 3.4.1.1. The Head of the Department has required an employee, in writing, to perform paid overtime between 20:00 and 06:00, and
 - 3.4.1.2. The employee does not normally work at night.
- 3.4.2. The department will compensate authorized night overtime by:

3.4.2.1. Paying the employee concerned two times his/her normal hourly remuneration, or

3.4.2.2. Granting the employee time off for the time worked.

3.5. All other forms of Overtime

3.5.2. The department shall provide compensation for overtime when the Head of Department has required an employee, in writing, to perform official duties for more hours than the employee's normal working hours during a week, but has not required Sunday work or night overtime if the employee does not work on such day.

3.5.3. The department will compensate authorized normal overtime by:

3.5.3.1. Paying the employee concerned one and one third times his/her normal hourly remuneration, or

3.5.3.2. Granting the employee time off equal to time worked.

3.6. Control of remunerated overtime/duty

3.6.1. It is the responsibility of the Line Manager / Supervisor to ensure that:

3.6.1.1. There are adequate supervision and control measures at all times during the performance of remunerated overtime duty.

3.6.1.2. The overtime remuneration is efficient and/or cost effective.

3.6.1.3. A record of all overtime duty and an attendance register is kept where the following should be indicated:

3.6.1.3.1. Sign time on duty and time off duty.

3.6.1.3.2. Hours overtime worked and reason.

3.7. Calculation of overtime remuneration

3.7.1. The remuneration awarded in respect of overtime duty is calculated by multiplying the total number of hours (including portions of an hour expressed as a fraction) overtime duty performed with the applicable overtime rate.

3.7.2. If overtime duty is performed on a relatively continuous and/or if the regular control thereof is problematic (as in the case of one-person offices) a fixed amount may be paid monthly as overtime remuneration. This is calculated by converting the number of hour's overtime duty performed over a period of a year to a monthly average and multiplying it with the applicable overtime rate.

- 3.7.3. For purposes of the calculation of the applicable overtime rate, an employee's annual pensionable salary notch at the time of the performance of the overtime duty should be used, and any under and/or overpayment of overtime remuneration as a result of an adjustment of his/her salary retrospectively should be rectified.
- 3.7.4. For purposes of determining the number of hours overtime duty performed, waiting time (that is a period during which an employee cannot start with the performance of overtime duty at his/her place of work or continue therewith) as a result of circumstances beyond his/her control) should be considered as overtime duty.
- 3.7.5. Subject to the provisions of the PSCBC Resolution 3 of 1999, Chapter VII, subparagraph 4.3(ii) an employee performing overtime duty is not compensated for travelling time. Overtime duty should be arranged, as far as possible, in such a manner that the commencement and conclusion thereof coincide with the time during which public transport is available. Travelling time for an employee on authorized standby duty will be regarded as overtime.
- 3.7.6. In respect of overtime duty performed during the night by employees falling in a group performing night duty as a condition of service, the overtime rates are applicable. (Refer to DPSA Determination on working Hour in the Public Service).

3.8. Overtime rates

- 3.8.1. The overtime rate for employees who perform overtime duty on Sundays or Public Holidays, is $T \times 2$ (Refer to the DPSA Determination on Working Time).

$$C \times 2 \times T$$

Where: –

C is equal to the number of overtime hours worked

T is calculated as follows:

$$T = \frac{A \times 7}{B}$$
$$365$$

Where:-

A is equal to the basic salary of the employee

B is equal to the weekly number of hours of attendance prescribed for the employee

- 3.8.2. Employees who perform overtime duty at any other time other than mentioned above, the rate is:

$$C \times 1.5 \times T$$

T is calculated as follows:

$$T = \frac{A \times 7}{B}$$

365

Where:-

A is equal to the smallest of the salary notch of the employee as defined in paragraph above OR if the overtime duty is performed on a working level lower than the normal working level of the individual concerned, the maximum salary notch of the salary grading attached to the post class that is representative of the lower working level.

B is equal to the weekly number of hours of attendance prescribed for the employee.

3.9. Extent and periods of overtime duty

3.9.1. It may not be expected of an employee to work more than 3 hours overtime per day or 10 hours per week.

3.9.2. By arrangement employees can be expected to work 12 hours a day, including meal periods, without receiving overtime. Employees may not work more than 45 hours per week or more than 10 hours overtime per week.

3.10. Night duty allowance

3.10.1. The employer shall compensate an employee for the inconvenience of working a night shift. This allowance is only payable to those employees who work a regular night shift at an institution that provides a service for over eight hours a day, and Between 19:00 and 07:00.

3.10.2. The employer shall not pay the allowance to an employee who works at night, but not in a regular shift.

3.11. Standby allowance

3.11.1. If the employer requires an employee to be available for the performance of duty outside of her or his normal working hours, the employer shall pay a standby allowance.

3.11.2. The employer shall pay the allowance if an employee's supervisor requires an employee to be available for duty:

- 3.11.2.1. at a place other than the employee's normal place of work
- 3.11.2.2. for a period of at least 16 hours during a 24-hour period
- 3.11.2.3. from the normal closing time of the employee's place of work
- 3.11.2.4. on a day on which the employee would not normally work

3.11.3. The standby allowance shall not affect or be affected by a payment for overtime due to the employee.

Roles and Responsibilities

- 4. The responsibility to approve the payment for overtime/ standby and night duty is vested in the Head of Department.

Review and Distribution

- 5. The Director for Human Resources is the responsible manager for this Policy and for ensuring it is reviewed and updated.
- 6. This policy will be reviewed after 3 years but not later than 5 years after the publishing date. If necessary an updated version will be issued, if not a formal cover letter will be issued to supplement the cover of this Policy (identifying a revised publication date).
- 7. The Director for Policy & Planning will distribute updated versions to:
 - Member of the Executive Council for Health
 - Head of Department of Health
 - All Chief Directors, Directors and Deputy Directors (who will in turn distribute to their staff as appropriate.)

Acknowledgement and Sources

- 8. This policy draws upon the following legislation:
 - 8.1. Public Service Act 103 of 1994
 - 8.2. Labour Relations Act 66 of 1995
 - 8.3. Public Service Regulations, 2001
 - 8.4. PSCBC Resolution 3 of 1999
 - 8.5. PSCBC Resolution 1 of 2007
 - 8.6. BCEA Act 75 of 1997

- 8.7. Public Holidays Act 36 of 1994
- 8.8. Refer to commuted overtime policy