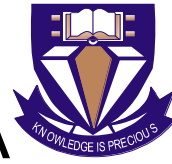


UNIVERSITY OF VENDA



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# POLICY ON LEAVE

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**TITLE AND COPYRIGHT**

Title	Policy on Leave
Date	27 November 2009
Author	Mr T J Manenzhe
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## **1. DEFINITIONS AND APPLICATION**

The Basic Conditions of Employment Act sets the minimum standards for employment conditions which include leave of absence which needs to be observed by all employers. This institution therefore reserves the right to, at any time, in its sole discretion, revise and amend this policy from time to time.

### **1.1 DEFINITIONS**

Any expression of words used in this document which is defined in the Basic Conditions of Employment Act, 1995 shall have the same meaning as in the Act unless defined otherwise.

- 1.1.1 “Accumulative leave” means leave days which accrue to a member on a pro-rata basis during a leave cycle.
- 1.1.2 “Non-Accumulative leave” means annual leave to which every staff member is entitled to during the leave cycle.
- 1.1.3 “Leave cycle” means a period of 12 months from the date of assumption of duty or the 1<sup>st</sup> of January to the 31<sup>st</sup> of December.
- 1.1.4 “Sick leave cycle” means a period of 3 years calculated on pro-rata basis from the date of assumption of duty “Sabbatical leave” means leave which is taken for study/research purposes limited to one semester.
- 1.1.5 “Sabbatical leave” means leave which is taken for research purposes and limited to one semester.

### **1.2 APPLICATION**

This policy applies to all members of staff appointed on permanent, fixed term contract and donor funded projects.

## **2. PURPOSE**

The purpose of this policy is to provide a regulatory framework for the administration of leave applicable to all members of staff.

### **3. POLICY STATEMENT**

The University of Venda acknowledges the need for members of staff to take leave of absence as it is a privilege that is accorded to employees in terms of the Basic Conditions of Employment Act. Therefore, leave packages determined in this policy are guided by the aforesaid Act.

### **4. CATEGORIES OF LEAVE**

The University offers different types of leave which are administered as follows:

#### **4.1 ACCUMULATIVE LEAVE**

4.1.1 All members of staff shall be entitled to a maximum of 10 accumulative days per year. Accumulative days will be accrued in arrears on monthly basis. Accumulative leave days shall be used for vacation and study purposes. Members of staff will be allowed to encash a maximum of 20 days upon death, retirement, and expiry of contract, resignation and termination of employment for whatever reason.

#### **4.2 NON ACCUMULATIVE LEAVE**

4.2.1 All members of staff will be entitled to 20 non accumulative leave days per annum, which must be taken during the annual leave cycle. Leave not taken due to the exigencies of the university will be transferred to the subsequent year and must be taken six months before the leave cycle during the subsequent year elapses. Leave days not taken for reasons other than those mentioned above shall be forfeited.

4.2.2 A leave cycle is a period of 12 months commencing from the 1<sup>st</sup> day of employment or commencing from the end of the previous leave cycle.

- 4.2.3 A member of staff who joins the University during the course of the year shall accrue non-accumulative leave days on a pro-rata basis with effect from the date of assumption of duty.
- 4.2.4 A member of staff shall not stay away from work until he/she has applied in writing for leave and has been informed by the Dean/Director that the application has been approved. If a member is unable to report for duty on a particular date due to ill health or severe illness of immediate family member, he/she has the responsibility to inform his/her Head of Department / Dean / Director by not later than 10H00 on that day that he/she will be unable to report for duty. In such cases, the member of staff will complete a leave form when he/she reports for duty.
- 4.2.5 Under no circumstances may accumulative leave days be encashed for any reason except upon termination of employment, expiry of contract, retirement and death of the staff member.
- 4.2.6 A member of staff who, while on contract or permanent appointment is appointed on another contract or position within the University shall not be allowed to encash his/her leave days.
- 4.2.7 A member of staff will not be allowed to take paid leave while serving notice period, except under extra-ordinary circumstances which must be referred to the Vice Chancellor and Principal for approval.

## **5. FAMILY RESPONSIBILITY LEAVE**

Family responsibility leave can be divided into the following categories:

### **5.1 COMPASSIONATE LEAVE**

Members of staff will on application be granted the maximum of five working days leave per annum with full pay in the event of death or severe illness of an immediate family member i.e. spouse, child, parents of either spouse and legally adopted children.

In the event of death or severe illness of an immediate family member, such application for leave and documentary proof must be submitted to the Director

Human Resources for approval through the Dean/Director or authorized person upon resumption of duty. Failure to do so will leave the University with no option but to institute disciplinary action against such employee in terms of the University Disciplinary Procedure Manual.

## **5.2 PATERNITY LEAVE**

Members of staff will on application be granted a maximum of five working days leave with full pay per annum at the event of the birth of the staff members' child or legally adopted infant (any child younger than 6 months). Birth certificate must be provided as documentary proof prior to approval or on resumption of duty.

## **5.3. MATERNITY LEAVE**

Members of staff shall be entitled to four calendar months maternity leave, three calendar months of which will be with full pay, provided that such a staff member has been employed by the University of Venda for an unbroken service of twelve months. Staff members who have not completed twelve months unbroken service shall be entitled to four months maternity leave without pay. The maternity leave must commence four weeks before the expected date of confinement and the staff member should return at least six weeks after the birth of the child unless a certificate from a medical practitioner stating that the employee is fit for duty has been submitted.

## **5.4 MISCARRIAGE/STILL BORN CHILD**

A member of staff, who had a miscarriage and/or gives birth to a still born child during the third trimester of pregnancy, shall be entitled to six weeks maternity leave regardless of whether or not she had commenced maternity leave at that time.

## **5.5 ADOPTION LEAVE**

A female member of staff who legally adopts an infant (any child younger than 6 months) shall be entitled to 3 months maternity leave with full pay provided that she provide proof before leave can be granted.

## **6. SPECIAL LEAVE**

- 6.1 Special leave is granted upon the recommendation of the HOD and the Dean under special circumstances including but limited to the following:
- 6.1.1 When the member of staff is writing examination, graduating, summoned to appear in court and/or attending skills development workshops, seminars and conferences and meetings related to the core business of the University off campus for a day or more. Special leave must be approved by the Head of Department / Dean / Director or designated authority before the leave is taken. This type of leave shall not accrue to staff members and will have no bearing on other leave packages that are applicable to employees as it will only be granted for attending the above-mentioned activities.
- 6.1.2 Members of staff must ensure that:
- 6.1.2.1 The university resources are judiciously utilized;
- 6.1.2.2 Participants must compile and disseminate reports on the conference proceedings or meetings which translate to knowledge and skills transfer to colleagues or the University community;
- 6.1.2.3 Budget controllers and participants are held responsible and accountable for the management and control of their departmental/schools budget;
- 6.1.2.4 They promote good governance.
- 6.2 Members of staff sitting for examination shall be granted special leave a day prior to and the day of the examination. Special leave for Friday will not be granted on instances where an examination is written on a Monday.
- 6.3 Proof of examination (timetable) should be provided prior to the approval of leave by the Head of Department, supervisor or authorized person.
- 6.4 Members of staff who are graduating shall on submission of proof that they will be graduating granted a day prior to and on the day of graduation as special leave.
- 7. LEAVE FOR OFFICE BEARERS OR SHOP STEWARDS OF RECOGNIZED EMPLOYEE ORGANIZATIONS.**



- 7.1 Members of staff who are appointed as office bearers or shop stewards of recognized employee organizations shall be granted up to five working days paid leave per annum for activities related to their union responsibilities.
- 7.2 All applications for special leave must be submitted in writing together with supporting documentation for the approval by Head of Department / Dean / Director prior to the commencement of leave. This type of leave shall not accrue to members of staff and shall not be used for any other purpose other than for Union related activities.

## **8. SICK LEAVE**

- 8.1 All employees will be entitled to 90 sick leave days in a cycle of three years.
- 8.2 On the first day of absence the employee must ensure that his/her immediate supervisor / Head of Department / Dean / Director is informed of his/her incapacity to work. Heads of Departments / Dean / Director will be held accountable if they fail to report timeously cases of absence from work due to incapacity or any of the reason to the Director Human Resources.
- 8.3 Should a period of absence be in excess of three working days, the employee must submit a medical certificate confirming incapacity to carry out normal duties.
- 8.4 Medical certificate shall be required from any staff member who is frequently absent for a day due to health reasons.
- 8.5 In case of repeated absence from work due to incapacity, management may request a medical opinion from a medical doctor appointed by the University of Venda regarding fitness of the employee. The University will be responsible for the payment of consultation fee and transport expenses. Based on the medical report furnished by the medical doctor, Management will take the necessary steps to deal with the matter.
- 8.6 The University will continue to pay employee/employer contributions towards provident fund, medical aid and Group Life Assurance scheme for the staff member while the staff member's disability claim is being processed on condition that the University shall recoup all the money paid as contribution towards the staff member. The staff member should sign an acknowledgement of debt

undertaking that the money contributed by the University on his/her behalf shall be recovered from disability benefit.

## **9. PROLONGED ILLNESS.**

In the event of prolonged illness, unpaid leave not exceeding 30 days after the staff member has exhausted 90 days sick leave may be granted to a member of staff with the special approval of the Vice Chancellor and Principal and in such cases the Vice Chancellor and Principal may decide to continue to pay the contributions by the University towards medical and Group Life assurance schemes on condition that the member of staff has signed an acknowledgement of debt that the contributions made by the University during his/her prolonged illness leave shall be recovered from his/her risk benefits provided the disability claim has been lodged with the insurer.

## **10. LEAVE OF INJURY WHILST ON DUTY**

- 10.1 Should an employee be injured in the course of his/her duties, special leave will be granted with full pay for the period during which the employee is incapacitated due to injury. Once the final medical report is submitted, the special leave will also cease to exist.
- 10.2 The employee is required to comply with all the requirements of the Workman's Compensation. A loss of income refunded by the Workman's Compensation will be retained by the University to cover the payments incurred by the University towards salary and benefits during leave of injury whilst on duty.

## **11. STUDY LEAVE WITH PAY**

Study leave may be granted to permanent and contract employees on the following conditions:

- 11.1 A member of staff shall only qualify for study leave after he/she has been employed by the University for an uninterrupted service of two years.
- 11.2 The employer will grant leave days equal to the number of days that a member of staff has accumulated under study leave.

- 11.3 A member of staff will accumulate twenty working days study leave per annum. This leave will be used for study purposes only and shall not have any monetary value.
- 11.4 A member of staff who joins the University during the course of the year shall accrue leave (study leave) on a pro-rata basis with effect from the date of assumption of duty.
- 11.5 Study leave with pay shall be approved by the Vice Chancellor and Principal on the recommendation of the Dean / Director / Registrar; Relevant DVC, Research and Publications Committee and EMC.
- 11.6 Study leave with pay shall be limited to 2 years at a time.

## **12. STUDY LEAVE WITHOUT PAY**

- 12.1 A staff member who does not qualify for study or sabbatical leave with full pay can apply for study leave without pay. The study leave without pay shall be granted on condition that the staff member shall serve the University for the period equal to the period that he/she was granted as study leave without pay. The study leave without pay shall be limited to 2 years at a time. The leave can be extended for a further period on the recommendation of the HOD / Dean / Director / Registrar / Relevant DVC and subject to approval by the Human Resources Committee.
- 12.2 A staff member who fails to honour his/her obligation to serve the University for the period equal to the period of the duration of study shall pay back all the expenses incurred by the University while he/she was on study leave without pay i.e. employer's contribution towards Group Life, Medical Aid and any cost incurred by the University inclusive of the advertisement costs for the leave substitute.
- 12.3 The staff member must sign an acknowledgement of debt undertaking that he/she shall pay the costs incurred by the University as mentioned above before terminating his/her services.

### **13. SABBATICAL LEAVE**

- 13.1 Sabbatical Leave may be granted to an academic member of staff who is to undertake research, pursue further studies, teach at another University during sabbatical leave, join a research institute in his/her field provided that the results of the research are published and his/her involvement in the project is acknowledged, join an organization or association for a limited period to follow a specified programme of practice-oriented experience and/or undertake programmes involving pupilage or internship.
- 13.2 Sabbatical leave will be granted to an employee on the recommendations of the HOD, Dean and the Research and Publication Committee for approval by DVC: Academic.
- 13.3 Sabbatical leave will commence at the beginning of a semester unless for special reasons.
- 13.4 Application sabbatical leave should be submitted at least 3 months before the date of commencement of leave.
- 13.5 Not more than one person at a time per department will be allowed to take sabbatical leave unless it is recommended by the HOD or the Dean.
- 13.6 An academic member of staff who is appointed on another contract or position within the University shall not forfeit his/her previous service period in respect of Sabbatical leave which he/she is entitled to by virtue of being employed for an interrupted period of five years by the University.
- 13.7 A member of staff who has been granted sabbatical leave must submit documentary proof of the research project or progress report from the promoter/supervisor undertaken during such sabbatical leave. Failure to submit documentary proof will render a member of staff not eligible to be granted further leave.

### **14. STUDY LEAVE AND SABBATICAL LEAVE**

- 14.1 Study/Sabbatical leave shall not be converted into monetary value and therefore will not be encashed.
- 14.2 Sabbatical and study leave may be combined in which case a combined period of one academic year may be granted by the Vice-Chancellor and Principal on the recommendation of the Dean / Director / Research and Publications Committee and the DVC Academic.
- 14.3 A staff member who is granted sabbatical or study leave must undertake to return to his/her employment for the period equal to the number of working days granted for study/sabbatical leave for study purposes, failing which the staff member shall be required to pay back all expenses incurred while on leave i.e. employer's contributions to Group Life, medical aid and the costs of advertising for a leave substitute.

## **15. UNAUTHORIZED LEAVE**

Any leave that is taken without complying with the provisions of a particular leave package, or without specific permission having been obtained beforehand, shall be deemed to be unpaid leave. Necessary arrangements will be made to recover such leave from the employee's salary for that particular month.

## **16. RELATED POLICIES AND DOCUMENTATIONS**

- 16.1 Staff Development policy
- 16.2 Employment Equity policy
- 16.3 Remission of fees policy
- 16.4 Policy on Termination
- 16.5 Policy on Death Benefits

## **17. REGULATORY FRAMEWORK**



- 17.1 Basic Conditions of Employment Act
- 17.2 Labour Relations Act
- 17.3 Skills development Act

## **18 REVIEW DATE**

The policy will be reviewed after three years or as and when the need arises.

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**19. RECORD OF CHANGES**

DATE OF APPROVAL BY COUNCIL	AUTHOR(S)	DATE OF REVIEW
27 November 2009	Mr T J Manenzhe	27 November 2012
 <p>Date stamp and signature by the Secretary of Council</p> 		

**20. LIST OF ABBREVIATIONS AND ACRONYMS**

- HR.....Human Resources  
 WWW.....World Wide Web  
 UNIVEN.....University of Venda



01 December 2009

\_\_\_\_\_  
 Vice Chancellor & Principal

\_\_\_\_\_  
 Date

