



Molemole Municipality

## **MOLEMOLÉ LOCAL MUNICIPALITY**

### **POLICY ON OVERTIME WORKED AND OVERTIME RATES**

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## **1. APPLICABILITY**

The policy applies to all full time and part time employees except employees excluded in the Ministerial determination earning more than the threshold as published by the Minister of Labour, unless otherwise exempted by Council.

The policy must be read in conjunction with the SALGBC Collective Agreement on Conditions of Service as well as provisions of Basic Conditions of Employment Act.

### **Arrangement of Over Time:**

1. Council is in principle not in favour of overtime, overtime will be worked when there is an operational need and where it does not affect the health, safety of employees and/or does not adversely affect the interest of Council.
2. Overtime may only be worked when sanctioned by the Departmental Managers. Overtime may only be worked when authorized and only be allowed when it is absolutely necessary. The overtime will be pre authorized and not post authorized.

## **2. SCOPE**

This document describes the overtime hours to be worked weekly and daily as well the rates of pay and overtime rates.

## **3. OBJECTIVES**

To provide a framework and guideline for the implementation and maintenance of overtime worked and the remuneration thereof.

## **4. DEFINITIONS**

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|----------------|--|
| "Deductions"   | - means income tax, pension, medical fund etc,   |
| "Earning"      | - means gross pay before deductions.   |
| "Overtime"     | - means the time that a qualifying employee works during a day or week in excess of the ordinary hours work. |
| "Remuneration" | - compensation in money or time off for overtime worked.   |
| "Wage"         | - means the amount of money paid or payable to an employee in respect of ordinary hours of work.             |
| "Days"         | - means "working days"   |

## **5. RESPONSIBILITY**

- a. Every manager/ section head has the responsibility for the implementation, maintenance and management of the overtime system.
- b. The Payroll Officer is responsible for the calculation and pay out of overtime worked.
- c. Managers are responsible for co-ordination and controlling system implementation and maintenance at operational level.

## **5.1 PRINCIPLES**

Employees may work overtime only in agreement and when prior arrangements are made and pre-approved/authorized.

## **5.2 LIMITATIONS**

If an employee agrees to work overtime, the employee may not work:

- a. Overtime except in accordance with an agreement,
- b. More than 10 hours overtime per week,
- c. More than 3 hours per day.
- d. And more than 40 hours a month
- e. If the operational requirements dictate the excessive overtime hours to be worked, valid reasons shall be furnished by the line managers and the Municipal Manager shall authorize such deviation.
- f. All overtime claims exceeding stipulated overtime hours can only be processed when the line manager's motivation is attached and the subsequent approval by the Municipal Manager.
- g. All overtime payment request must be on the new form named overtime approval process flow form

## **5.3 PRIOR APPROVAL**

No employees will work overtime without prior approval and no employee will be remunerated for overtime worked unless such overtime has been budgeted for and authorized by the manager responsible or that overtime is required in terms of a work scheduled.

## **5.4 REMUNERATION**

Employees will be:

- a. Paid overtime consistent with the provision of the Collective Agreement or BCEA
- b. Paid not less than the employees ordinary wage or overtime worked and be granted at least 30 minutes time off on full pay for every hour of overtime worked; or
- c. Granted at least 90 minutes paid time off for each hour of overtime worked; during week days.

## **5.5 TIME FRAME**

- a. The employee will be granted paid time off within one month of the employee becoming entitled to it.
- b. The employee will pay the overtime pay on the employees normal pay day.

## **5.6 OPERATIONAL REQUIREMENTS**

- a. Due to the business and operational requirements of the municipality employees will be required to work overtime where necessary.

- b. The employer may not require or permit an employee to work overtime or to work on Sunday or Public Holidays unless there is an operational need for overtime worked on Sunday and Public Holidays.

#### **5.7 OVERTIME WORKED ON SATURDAY**

Employees, who normally work a five day week, will be;

- a. Paid one and one-half times the employee's wage for overtime worked, or
- b. Paid not less than the employee's ordinary daily/ hourly wage for overtime worked and be granted at least 30 minutes time off on full pay for every hour of overtime worked; or
- c. Granted at least 90 minutes paid time off for every hour of overtime worked during week days.

#### **5.8 OVERTIME WORKED ON SUNDAY AND PUBLIC HOLIDAYS**

Employees, who normally work a five day week, will be;

- a. Paid double the employee daily/hourly wage for overtime worked, or
- b. Paid no less than employee's ordinary wage for overtime worked and be granted at least 60 minutes time off on full pay for every hour of overtime worked; or
- c. Granted at least 120 minutes paid time off for each hour of overtime worked during week days

- 5.9 Top Management, which consists of the Municipal Manager and Section 57 appointments, Middle Management and any other position with an annual salary of more than the threshold regulated by Government Gazette from time to time regarding the earnings threshold are exempted from this policy, but will receive paid time off for hours worked above the prescribed office hours per week, see footnote calculated at the applicable rates for overtime translated into working hours of days.


#### **5.10 CALCULATIONS**

Calculations of Overtime Pay (Five day work week)

- a. Employees who work a five day week are deemed to work 21.671 days to complete a full month based on the five-day work week
- b. The working week consists of 40 ordinary hours per weeks.
- c. The working day is deemed to consist of 8 working hours for which the employee is paid and 30 minutes meal break which is not paid time.

#### **6. IMPLEMENTATION**

The policy shall come into operation after it has been approved by the council.

<b>Signature:</b>	
<b>Initials and Surname:</b>	M.E. Parça
<b>Designation:</b>	Mayor
<b>Council Resolution Number:</b>	OC/5.1.5/26/06/20
<b>Council Date:</b>	26/06/2020