**UTHUKELA DISTRICT MUNICIPALITY**

**HUMAN RESOURCES POLICIES**

**OVERTIME POLICY**

1. **INTRODUCTION**

Employees of Uthukela Municipality work for 40 hours in a normal working week.

Normal working hours start at 7h45 until 16h30, Mondays to Thursdays and 7h30 to

15h00 on Friday, some employees work on shifts, weekend and public holidays. That

is regulated separately from normal working hours. However, it may be required that employees work outside their normal working hours. For the purpose of this policy, overtime refers to time worked outside normal working hours.

1. **PURPOSE**

The purpose of this policy is to regulate overtime worked by employees outside their

normal working hours.

1. **PROCEDURE FOR REMUNERATIVE OVERTIME**
	1. Working overtime should be an exception rather than a rule, supervisors

Must ensure that overtime work is minimised.

* 1. As determined in the Conditions of Service Collective Agreement the

following staff do not qualify for overtime pay :-

3.2.1 currently those earning more than R205 433.30 per annum

3.2.2 senior managerial employees

3.2.3 employees working less than 24 hours per month

**Please note that this threshold changes from time to time,** unless Municipality has

been granted a Condonation by SALGBC for exclusion from this regulation.

3.3 Employees may not work more than 12 (twelve) hours per day (overtime

included).

* 1. Employees may not work more than 10 (ten) hours overtime a week unless a collective agreement has been reached, in which case overtime may not be more than 15 hours a week.
	2. Supervisors must **authorise** overtime work only if that work is urgent and

cannot be done during normal working hours.

* 1. The number of overtime hours required for such a task shall be agreed upon between the Supervisor and the employee, and shall not exceed the limits stipulated in 3.3 and 3.4.
	2. Where possible, work to be done should be stipulated before hand indicating what needs to be done and for how long.
	3. Attendance registers should be signed by employees working overtime at

The starting and finishing time and controlled by the supervisor in charge.

* 1. Records of all overtime duties should be kept
	2. No overtime will be paid without pre approval and job cards
	3. No overtime will be paid where there is proof of work attendance for the normal working time,i.e. attendance registers.

3.9 Funds should be available in finance department for overtime pay.

3.10 It is the responsibility of supervisors to ensure that overtime claimed has

 Actually been performed , was necessary and was performed in the most

 cost effective manner.

3.12 All overtime work should as far as possible be performed at the

Employees normal place of work.

3.13 If the above limits are exceeded the supervisor shall be held liable.

3.14 Supervisors should look at innovative ways of reducing overtime, for

 example, using shifts and time off for overtime worked, this must be agreed with employee.

1. **OVERTIME COMPENSATION**

4.1 Overtime shall be paid for work done beyond 40 hours per week, provided that

provisions in 3.3 and 3.4 above have been met.

4.2 Hourly rates as per the Basic Conditions of Employment Act are as follows:

* Overtime worked beyond normal working hours (i.e. 7h30 to 16:30) on a

normal working day: one and a half (1,5) times an employee’s hourly salary.

* Saturdays: one and a half (1.5) times an employee’s hourly salary.
* Sundays and public holidays:

4.3 An employer must pay an employee who works on a Sunday at double the

 employees salary for every hour worked, unless the employee ordinarily

 works on a Sunday, in which case, the employer must pay the employee at

 1,5 times the employees salary for each hour worked.

* The amount due, after normal deductions, will be paid with the employee’s

salary in the month immediately following the month the overtime is worked.

4.3 The Municipality and the employee(s) concerned may agree that an employee

 be compensated with time off, as set out in section 10(3) (a) and (b) of the BCEA.

 Such time off must be taken within one month after the overtime was worked. If, for operational reasons the employee is not able to take the time off, the employer will pay the overtime according to the rates mentioned above.

1. **NIGHT WORK**

5.1 For the purposes of this policy night work means work performed after

 18h00 and before 6h00 the next day

5.2 Night shift allowance may not be paid to employees earning above R

 R205 433.30 per annum or as per threshold as determined by Basic

 Conditions of Employment Act of 1997

5.3 An employer may only require or permit an employee to perform night

 work if so agreed and if:

* An employee is compensated by the payment of an allowance, which may be

a shift allowance, as per the Bargaining Municipality Agreement, or by a

reduction of working hours. Please note: Night shift allowance should not

be paid out to employees who are already receiving standby allowance.

5.4 An employer who requires an employee perform work on a regular basis

 after 18h00 and before 6h00 the next day must:-

(a) Inform the employee in writing or orally if the employee cannot read

in a language the employee understands

- of any safety and health hazards associated with the work that the

employee is required to perform, and

- of the employees right to undergo medical examination in terms of

paragraph

(b) at the request of the employee allow the employee to undergo

medical

examination, for the account of the employer, concerning those hazards:

- before the employee starts, or within a reasonable period of the

employee starting such work and

- at the appropriate intervals while the employee continues to perform

such work.

(c) transfer the employee to a suitable day work within a reasonable time if:

- the employee suffers from a health condition associated with

performance of night work, and

- and if is practicable for the employer to do so

1. **NIGHT WORK COMPENSATION**

6.1 This applies to employee who is required to work some or all of his

 normal hours of duty between hours 18h00 and 06h00

6.2 This allowance shall not be paid to employees earning above R

 172000.00, as per the Basic Conditions of Employment Act 75 of 1997

 threshold as determined from time to time

6.3 The employee shall be paid a maximum of 9% of hourly rate , pro rata

 to the actual completed normal hours worked between hours of 18h00

 and 06h00 in a particular month.

6.4 Any employee who is entitled to shift allowance shall not be entitled to

 night work allowance in addition thereto.