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Educating for life

Christian Brothers' College Boksburg

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LEAVE POLICY

AIM: This policy is aimed at giving staff clarity regarding their leave.

This policy has been developed in accordance with the Basic Conditions of Employment Act.

INTRODUCTION

College hours and terms are subject to the ISASA calendar for annual days and hours of attendance at the College. ISASA shall determine the exact dates of the College terms by Term 1 of the preceding year and notify the member institutions thereof.

1. All leave is subject to and in accordance with the Basic Conditions of Employment Act and the staff members' Employment contracts.
2. Specific details of leave are recorded in the staff member's leave policy herewith.
3. All leave is to be applied for by completing the College's leave application form, which is then to be authorised by the Principal and Headmaster signing the form *before* leave is embarked upon. This includes all periods where the learners are not present on the College's campus. e.g. mid-year term breaks.
4. All leave is subject to and in accordance with the Basic Conditions of Employment Act and the staff members' Employment contracts.
5. Specific details of leave are recorded in the staff member's Leave policy herewith.
6. Leave record forms are stored in staff members' personnel files and recorded in the College's database system.
7. A part of a working day which is required as leave must also be applied for using the College's leave application form. In the case of an emergency, the leave shall be granted by the staff member's line manager, who records the leave immediately on the College's leave form, which is then signed immediately after the staff member returns to work.
8. Late arrival, absence from the College during the College day and early departure from work are recorded as leave hours taken, by the line manager granting the leave. If a pattern of such leave is observed by the College management team the College's employment contract and discipline code will also be applicable to this leave policy.

TYPES OF LEAVE

Absence from work that is recorded as leave is classified under one or more of the following headings:

- annual leave
- sick leave
- maternity leave
- study and family responsibility leave
- compassionate leave
- urgent private affairs

ANNUAL LEAVE FOR PERMANENT STAFF

Annual (Paid) leave of 15 working days is to be taken during College holidays, which is normally understood, for permanent staff members, to mean the December holiday.

Annual leave, which is approved and taken during the school term, is understood and agreed, by the Headmaster and the staff member, to be unpaid leave.

The principal of a member taking approved paid or unpaid leave during the school term is responsible for securing a stand-in teacher according to the College's substitute teacher list, in advance of commencing the leave period. The College (and not the staff member) will reimburse the stand-in teacher.

Whereas the employment contracts describe the College's expectations (of all work being completed, in order for a permanently employed teacher to receive the benefit of additional paid leave (i.e.) during mid-year school holidays in general terms), it is understood & agreed that the College management may require the staff to be on duty for purposes of training, extra-mural activities, tours, excursions, preparation of classrooms and other professional activities which are required as part of the teacher's duties.

The two days prior to the start of the first term of the year, one day prior to the second and third terms and two days after the end of the third term are paid working days and may only be applied for as leave according to this policy.

"School holiday" days, which are gazetted by the government and are outside of the normal School holidays between terms, shall be deemed to be working days. Staff members may apply to complete the duties before this type of leave, in lieu of these gazetted "College holidays".

Annual leave which is not taken during a calendar year expires on the 31st of December and is not accumulated.

LEAVE FOR FIXED-TERM CONTRACT STAFF MEMBERS

Staff members who are employed on a non-permanent basis are subject to the leave provisions in their employment contract, including the BCE Act, pro-rata to the period for which they have been employed.

SICK LEAVE FOR PERMANENT STAFF

The Employee shall be entitled to paid sick leave in accordance with the provisions of the BCEA. During each sick leave cycle of thirty-six (36) months' continuous employment with the School, the Employee shall be entitled to a maximum number of thirty (30) paid working days sick leave.

During the first six (6) months of employment, Employees are only entitled to one (1) day's sick leave per twenty-six (26) days worked. Thereafter, the Employee is entitled to his/her full sick leave cycle entitlement, subject to the conditions highlighted herein.

1. Sick leave may not be accumulated from one sick leave cycle to the next, and unused sick leave has no cash surrender value and cannot be 'encashed' by the Employee.
2. Should the Employee exceed his/her statutory sick leave entitlement during a particular cycle, further sick leave during that cycle will be unpaid until the start of the next 3-year cycle.
3. Should the Employee be absent for more than two (2) consecutive work days, or on more than two (2) occasions during an eight (8) week period, the Employee shall not be entitled to paid sick leave unless he/she provides the Employer with a valid medical certificate confirming that he/she was unable to work for the duration of the period of absence on account of illness or injury.
4. A medical certificate may also be required by the Employer at other times and a leave form must be completed for all absences.
5. The Employee must inform the Head or his/her designate of any absence before the start of the work day on the day of such absence.

The School reserves the right to expect the Employee to subject him/herself to a medical examination by a medical practitioner appointed by the School, and at its expense, to obtain a medical opinion regarding any serious injury, repeated or chronic illness or alleged ill-health - whether temporary, permanent, partial or full incapacity as a result of ill health or injury.

MATERNITY LEAVE

1. A staff member is entitled to a total of 4 consecutive months of maternity leave.
2. A staff member who takes maternity leave must take such leave at least one month prior to the due date and continue until six weeks after the birth.
3. A staff member taking maternity leave must notify the Head of College in writing as soon as possible but no less than 5 months before the commencement of such leave, informing him/her of the date maternity leave is due to commence and the date of return to normal duties.
4. A staff member who has a miscarriage during the third trimester of pregnancy or bears a stillborn child is entitled to maternity leave for six weeks after the miscarriage or stillbirth whether or not maternity leave has already commenced.

5. A staff member may not return to work six weeks after birth unless certified fit to do so by a recognised medical practitioner.
6. Should a staff member not return at the end of a period of maternity leave or resign whilst on maternity leave or within three months after returning from maternity leave, all salaries paid whilst on maternity leave will need to be paid back in full or pro-rata.

Medical Aid

1. The employer will continue to pay its two-thirds contribution towards the approved medical aid plan.
2. The employer contribution is based on the cost of the approved medical aid plan and has no link to the staff member's basic salary
3. The staff member remains liable for her one-third contribution towards the approved and staff member-selected medical aid plan

Provident Fund

1. The employer makes contributions of eleven and a half (11.5) percent to the College approved provident fund
2. These contributions are based on the staff members pre-maternity (ordinary) basic salary
3. The employer will continue to make this eleven and a half (11.5) percent contribution despite the reduced basic salary during the course of maternity leave

Basic Salary

1. The employer will pay forty (40) percent of the basic salary during the course of maternity leave
2. Other deductions including UIF, SDL, SACE and PAYE continue to apply as per legislation

Staff members on maternity leave have the right to claim from the UIF and may make an application for maternity benefits at any time before or after childbirth: provided that the application must be made within twelve months after the birth of the child. Staff members must apply for benefits at their nearest Department of Employment and Labour (DEL) labour centre in person or arrange for someone to go in their place. Staff members may be paid at the labour centre of their choice or have the money deposited directly into their bank accounts. Benefits payable must be determined by multiplying the monthly remuneration by 12 and dividing it by 365. If paid weekly, by multiplying the weekly remuneration by 52 and dividing it by 365. If the contributor's remuneration fluctuates significantly from period to period, the calculation must be based on the average remuneration of that contributor over the previous six months.

The rate at which the benefits are payable is based on a sliding scale between 38–58%. Subject to credits, benefits can be paid for a maximum of 121 days. If there is a miscarriage or a stillborn child, the benefits can be paid for a maximum of six weeks after the miscarriage or stillbirth.

Forms To Apply For Maternity Benefits

The following forms and documents need to be completed and submitted to claim for maternity benefits:

- Form UI-2.3 (application form).
- Form UI-2.7 (if applicable).
- Form UI-2.8 (for banking details).
- Form UI-4 (form will be issued at DEL for further pay).
- 13-digit bar-coded ID or passport.
- Medical certificate from a doctor or birth certificate of the baby.

When staff members have completed and submitted the forms to the DEL, the Commissioner of the UIF or the Claims Officer must consider the application. If the application is declined, the staff members must be provided with written reasons why it was declined.

PATERNITY LEAVE

The staff member is eligible for this leave after they provide 4 months of services as full-time staff. The Staff members are required to inform the Headmaster as a written application. Staff members have to inform the employer at least a month before the child is expected to be born.

UIF contributors will also be able to claim parental and commissioning parental benefits under these amendments if an employer is unable to pay the worker's full salary.

Paternity leave comes under three different categories which include:

1. **Parental Leave:** The employer provides 10 consecutive days of leave based on their newborn child. It will be provided only for one time in a year with paid paternity leave. On the date of the child's birth, the staff member may begin commissioning parental leave. A staff member is also not required to provide parental leave notice if it is not reasonably possible to do so.
2. **Adoption leave:** A staff member who intends to take adoption leave must submit at least one calendar month's written notice to the date on which they intend to commence adoption leave and return to work thereafter, known as "adoption leave notice". For adopting a child an employer has to provide 10 days of paid leave to their staff member. This leave is granted from the day of adopting a child to the next 9 days.
3. **Commissioning Parental Leave:** The leave is granted for 10 days which is related to motherhood. The parent is primarily looking out for the child while only entitled to CPL.

STUDY AND FAMILY RESPONSIBILITY LEAVE

1. Leave on full-pay will be granted for the writing of midyear and final examinations of courses approved in advance by the Headmaster -the actual day of writing plus one day to prepare for the exam.
2. A staff member is entitled to 3 days paid leave during each annual leave cycle at the request of the staff member and on approval of the Headmaster.

A staff member's unused entitlement in terms of this section lapses at the end of the annual leave cycle.

COMPASSIONATE LEAVE

1. In the event of the death of a spouse, life partner, parent, child, an adopted child, sibling, grandchild or grandparent, a staff member is entitled to five days paid leave.

URGENT PRIVATE AFFAIRS

1. One day's paid leave for other Urgent Private Affairs may be granted at the discretion of the Headmaster of the College, applications to be submitted in writing giving full reasons.

END

- The allocation of leave of absence is subject to the approval of the College Headmaster.
- Except in the case of unexpected sickness or other unavoidable circumstances an educator may not leave his or her work or be absent, unless he or she has applied for leave in writing and received written approval. Failure to comply with this requirement can result in the implementation of leave without pay for the relevant period.
- The College Headmaster can at any time with good reason withdraw already granted leave.

Policy Name	Author	Publish Date	Editor	Amendments
Leave Policy	Mr A Phiri	4 June 2025	T Craig	16 May 2026

