

DRDAR OVERTIME POLICY

Province of the EASTERN CAPE



**DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN
REFORM**

OVERTIME POLICY

DRDAR OVERTIME POLICY

Table of Contents

1. PURPOSE.....	3
2. STATUTORY FRAMEWORK.....	3
3. SCOPE OF APPLICATION	3
4. DEFINITIONS	4
5. AUTHORISATION.....	5
6. APPLICATION OF POLICY.....	5
7. CATEGORIES OF OVERTIME.....	6
8. ROLES AND RESPONSIBILITIES	6
9. COMPLIANCE	6
10. MONITORING AND EVALUATION	7
11. POLICY REVIEW.....	7
11.1 This policy shall be reviewed every five (5) years from the date of approval, but it may be reviewed before that time as necessary to reflect substantial organizational changes or any change required by law and regulations.	7
12. MACRO PROCESS TO BE FOLLOWED	7
13. RECOMMENDATIONS & APPROVALS	7
ANNEXURE "A": OVERTIME CLAIM FORM.....	8

DRDAR OVERTIME POLICY

1. PURPOSE

The purpose of overtime is to compensate officials for the performance of overtime duty over the prescribed hours of work.

This Policy is intended to regulate overtime within the Department of Rural Development and Agrarian Reform(DRDAR) as required by the Public Service Regulations, 2016 as amended and to give effect to the PSCBC (Resolution 1 of 1999 and Resolution 1 of 2007) as well as the Basic Conditions of Employment Act, 1997 (Act 75 of 1997) as amended.

The Policy sets the regulatory framework and process to be adhered when performing overtime.

2. STATUTORY FRAMEWORK

This Policy derives its mandate from the following: -

- 2.1. Public Service Act 1994 (as amended)
- 2.2. Public Service Regulations 2016 (as amended in 2023)
- 2.3. Basic Conditions of Employment Act 1997 (as amended)
- 2.4. Labour Relations Act 1995 (as amended)
- 2.5. PSCBC Resolution No 3 of 1999
- 2.6. PSCBC Resolution No 1 of 2007
- 2.7. Determination on Working Time in the Public Service by MPSA
- 2.8. DPSA Circular 22 of 2018
- 2.9. Financial Manual for Purposes of the Calculation and Application of Allowances and Benefits (as amended)

3. SCOPE OF APPLICATION

- 3.1. This Policy applies to all employees who are employed in terms of the Public Service Act 1994 (as amended) Proclamation No. 103 of 1994) within the DRDAR with the exclusion of the following as per Regulation 49 (1) of the Public Service Regulations:

DRDAR OVERTIME POLICY

a) SMS members

3.2. In this Policy, overtime refers to authorized work in excess of the hours of work per day, week or month that an employee has been contracted to perform.

3.3. Categories of employees that may not receive compensation for overtime due to the nature of their duties;

3.4. The circumstances under which overtime work for an individual employee may be authorized;

4. DEFINITIONS

In this policy, unless the context indicates otherwise:

4.1 **“Basic salary”** means the actual salary notch of the employee but not higher than basic annual salary of Salary level 8, (based on the general salary adjustment initial notch of salary level 8 as regulated by DPSA).

4.2 **“BCEA”** means Basic Conditions of Employment Act, 1997, as amended.

4.3 **“Day”** means a period of 24 hours measured from the time when the employee normally commences work, and daily has corresponding meaning.

4.4 **“DRDAR”** means Department of Rural Development and Agrarian Reform.

4.5 **“Employee”** means a person employed by the DRDAR.

4.6 **“Exceptional circumstances”** means performing functions, which are unique to certain circumstances, such as disease outbreaks or disaster management in the department or any crisis deemed as an exceptional circumstance.

4.7 **“Overtime”** means work in excess of the hours of work per day/week or month that an employee has contracted to perform.

4.8 **“Public Holiday”** means any day that is a public holiday in terms of the Public Holiday Act, 1994 (Act 36 of 1994)

4.9 **“SMS”** means the Senior Management Service consisting of employees who are incumbents of posts graded on level 13 or above, unless specifically excluded in terms of a determination or deemed determination by the Minister.

DRDAR OVERTIME POLICY

5. AUTHORISATION

- 5.1 Authorization is in terms of Section 49 of the Public Service Regulations 2016 as amended.
- 5.2 The authority to approve the monthly compensation for overtime, which constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser, is vested with the Head of the Department as delegated by the Executing Authority.
- 5.3 Circular No 18 of 2017 reads with Regulation 49 of the Public Service Regulations 2016 articulates that executive authorities are no longer delegated to authorize overtime compensation in excess of the 30% threshold in exceptional circumstances.

6. APPLICATION OF POLICY

6.1 TRAVEL

- 6.1.1 In order to perform authorized overtime, an employee may travel from home to his or her normal place of work or from the normal workplace to home at a time when she or he usually would not travel. In this case:
 - (a) if the employee was not on authorized standby duty,
 - (i) the journey counts as an official journey, but
 - (ii) the time spent on the journey does not count as overtime work; and if the employee was on authorized standby duty, the time spent on the journey counts as overtime work.
- 6.1.2 If, in order to perform authorized overtime, an employee must travel to a place other than his or her normal place of work, the time spent on the journey shall count as overtime work. This is applicable only to employees appointed as drivers.

6.2 OVERTIME APPROVAL

- a. A need has been identified relating to specific projects/tasks deemed as urgent and critical due to specific time frame within which the project/task has to be completed.
- b. Determination of categories of employees that may perform overtime due to the nature of their duties.
- c. Motivation and documentation of the circumstances under which overtime work for employees may be authorized.

DRDAR OVERTIME POLICY

- d. Documentation of how much overtime an employee may work in a given period.
- e. Recording of authorized overtime.
- f. In accordance with PSCBC Res 1 of 2007, granting of time off in lieu of overtime compensation is not applicable.
- g. Employee who is on leave cannot work overtime.
- h. The department should provide compensation upon prior approval for overtime as contemplated from paragraph 5.2 and 5.3 above.
- i. This however, is not applicable instances where planned work that should have been done within a stipulated time frame was not done due to lack of proper planning or shortage of staff.

7. CATEGORIES OF OVERTIME

7.1 ORDINARY OVERTIME

The department shall provide compensation for ordinary overtime as articulated prescribed in Public Service Regulations 2016.

8. ROLES AND RESPONSIBILITIES

8.1 LINE MANAGER

- 8.1.1 The Line Manager will determine the overtime need as determined in 6.2 above and compile a submission to the Human Resources Unit via the respective Branch Head.
- 8.1.2 Allocation of financial resources for the implementation of the policy.

8.2 HUMAN RESOURCES ADMINISTRATION

- 8.2.1 Compilation of submission for approval of overtime payment.
- 8.2.2 Monitoring of policy compliance.

8.3 FINANCIAL MANAGEMENT SERVICES

- 8.3.1 Decentralize budget to the respective responsibility managers.
- 8.3.2 Ensure that responsibility managers have budgets linked to expenditure.

8.4 HEAD OF DEPARTMENT

- 8.4.1. Authorization of submitted overtime application and compensation thereof.
- 8.4.2. Recommendations to Minister of Public Service Administration for approval of application exceeding 30% of monthly basic salary.

9. COMPLIANCE

- 9.1 Any non-compliance with this policy must be dealt with in terms of section

DRDAR OVERTIME POLICY

16A of the Public Service Act.

10. MONITORING AND EVALUATION

10.1 The Head of Department and Corporate Services Chief Directorate is responsible for monitoring and implementation of this policy in the department.

11. POLICY REVIEW

11.4. This policy shall be reviewed every five (5) years from the date of approval, but it may be reviewed before that time as necessary to reflect substantial organizational changes or any change required by law and regulations.

12. MACRO PROCESS TO BE FOLLOWED

Macro Process Steps	Sub Process	Line Manager	Human Resource Administration	FINANCE (FAS)
Overtime work	Manager determines need and submits recommendation	Responsible/ Accountable		
	Upon HOD approval overtime is worked	Responsible/ Accountable	Consult	
	Supervisor monitors and endorses attendance register and verifies claims	Responsible/ Accountable		
	Claims submitted to Human Resource Administration.	Responsible/ Accountable		
	To calculate and process once verified that all aspects are in order.		Responsible/ Accountable	
	Process on Persal			Responsible/ Accountable

13. RECOMMENDATIONS & APPROVALS

Approved/ ~~Not-Approved~~

Comments:



MR. B DAYIMANI
ACTING HEAD OF DEPARTMENT: DRDAR

DATE: 28/03/2024

DRDAR OVERTIME POLICY