



UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG

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Title
LEAVE POLICY

Version 5

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Policy Title	Leave Policy
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1. CONTEXT / BACKGROUND

- 1.1 The University recognises the need to provide staff with varied and reasonable leave opportunities that enable them to:
- a) Maintain a suitable work life balance
 - b) Recover from illness or injury
 - c) Attend to family responsibilities
 - d) Pursue study and career development opportunities
- 1.2 The University further acknowledges that attractive leave provisions assists in recruiting and retaining high calibre employees. To this end, the University shall provide leave opportunities that are in compliance with relevant legislation and regulations promulgated thereunder, facilitate operational continuity and which contributes to the achievement of the strategic goals of the University in relation to providing an attractive and conducive working environment.

2. DEFINITIONS

- 2.1 **'Annual Leave cycle'** is a period of 12 months' continuous employment, immediately following an employee's commencement of employment with the University as per Section 20.1(a) of the BCEA.
- 2.2 **'Annual vacation leave'** is a period of leave granted to an employee, primarily for the purposes of rest and recreation. During this period, the employee is not expected to attend work or be available for duties and may generally only be contacted in cases of an emergency.
- 2.3 **'BCEA'** is the Basic Conditions of Employment Act No 75 of 1997, as amended.
- 2.4 **'Essential services'** means those services which are rendered to the University by its employees and include but are not limited to services such as animal care services, financial services, laboratory services, cleaning, sanitation and waste removal services, security services and/or critical maintenance services.
- 2.5 **'Quarantine Leave'** is special leave granted to an employee who show symptoms of a disease that is declared a national disaster or who was in contact with a person who tested positive for the disease and is aimed at isolating such an employee from colleagues and the public to avoid the spread of the disease.
- 2.6 **'Sessional Staff'** are those individuals employed by the University to render services on a temporary basis for specified periods measured in hours up to a maximum of 23 hours per month, and include visiting and honorary academic staff.
- 2.7 **'Sick leave cycle'** is a period of 36 months starting from the date of commencement of employment or the completion of the prior sick leave cycle at the University.
- 2.8 **'University/Wits'** is the University of the Witwatersrand, Johannesburg.
- 2.9 **'Virus'** shall mean a virus declared as a national disaster under the Disaster Management Act of 2002, as amended.

3. PURPOSE

- 3.1 The purpose of the Leave Policy is to outline the available leave benefits applicable to employees and the conditions governing the granting of such leave.

4. SCOPE

- 4.1 This policy applies to employees as set out in the Categories of Employment document (HRG/13).
- 4.2 The benefits and conditions stipulated in this document are not applicable to sessional staff, who are managed in accordance with the applicable provisions of Basic Conditions of Employment Act, 1997 as amended.
- 4.3 Part-time continuous, joint staff, postdoctoral fellows and part-time fixed period staff shall be eligible for the benefits on a pro-rata basis.

5. PRINCIPLES

- 5.1 All employees have a duty to render their services and to be physically present on campus during working hours in accordance with the Conditions of Service, unless they:
- a) are on authorised leave of absence; or
 - b) have been granted permission to work remotely in terms of this Policy or the Policy on Working Remotely; or
 - c) are attending to authorised University business away from campus.
- 5.2 An employee who fails to attend the workplace to render service, without prior authority or a reasonable excuse, may be subject to disciplinary action.
- 5.3 The allotment and management of leave shall be fair, consistent and transparent.
- 5.4 All leave provisions shall comply with the relevant legislation including the Basic Conditions of Employment Act No 75 of 1997 (BCEA) as amended, and any contractual provisions stipulated in the conditions of service or in any other collective agreements signed with organised labour.
- 5.5 The granting of some forms of leave shall not be automatic and shall depend *inter alia* on operational exigencies and budget constraints.
- 5.6 Leave granted in compliance with any regulations promulgated under the Disaster Management Act of 2002 (as amended) shall not exceed the minimum period stipulated in the regulations; otherwise, provisions of Clause 7.3 of the Policy shall apply.
- 5.7 The management of leave shall be a shared responsibility; employees shall ensure that they apply for leave timeously and conscientiously to facilitate operational planning and to ensure accurate records, while the line manager shall not unreasonably deny leave requests made within the parameters of this policy.

6. ROLES AND RESPONSIBILITIES

- 6.1 An employee applies for leave on the Oracle system prior to proceeding on leave.
- 6.2 The line manager considers and approves the leave, subject to conditions specified in Clause 5.5 of this policy.
- 6.3 The dean/divisional manager, in consultation with the Senior Director: HR, approves special sick leave and determines conditions thereof.

7. PROCESS

7.1 VACATION LEAVE

7.1.1 Entitlement and Accrual

- 7.1.1.1 All full time employees are entitled to twenty four (24) working days of leave per 12- month leave cycle. The employee must manage additional leave so that at any point in time no more than 36 days of vacation leave are accumulated. No additional leave may be accumulated beyond this cap and leave not taken will be forfeited.
- 7.1.1.2 Employees who join the University during the course of the year shall be entitled to prorata leave.
- 7.1.1.3 Leave entitlements for part-time staff shall be pro-rated depending on the percentage of time worked but shall not be less than one day of annual leave for every 17 days worked.
- 7.1.1.4 No new employee may take vacation leave prior to the completion of one month's service.
- 7.1.1.5 All employees, except those involved in essential services, are granted leave on the working days during the customary annual University shutdown, which normally occurs from 13h00 on 24 December until, but excluding, the first working day in the New Year. This is additional to and not part of the 24 days referred to in 7.1.1.1. Employees who are required to work during the customary university shutdown shall be compensated the equivalent number of working days' leave during the year.
- 7.1.1.6 All vacation leave must be utilised by staff members within 6 months after the end of the annual leave cycle as stipulated in Section 20.4 of the BCEA.

7.1.2 Leave Approval

- 7.1.2.1 Applications for vacation leave must generally be submitted **at least fourteen (14)** working days in advance of the start of the leave, to facilitate operational planning.
- 7.1.2.2 The granting of vacation leave is not automatic and depends on the departmental manager's ability to manage operational requirements during the period of absence. Vacation leave shall however not be unreasonably withheld.
- 7.1.2.3 Some operational units experience peak periods of activity during certain times of the year and employees in such units shall generally not be permitted to take vacation leave during these periods. Staff in such units shall be advised accordingly.
- 7.1.2.4 All leave applications and approvals shall be done in advance on the Oracle HR system. In the event of the employee using vacation leave to attend to a personal emergency, the employee must obtain prior verbal authorisation and lodge an application online as soon as is reasonably practical.

7.1.3 Leave gratuities on termination of employment

- 7.1.3.1 On termination of employment, an employee shall be paid in lieu of any accumulated vacation leave up to a maximum of 15 days at the rate at which such leave was accrued.
- 7.1.3.2 All payments in lieu of accrued vacation leave are made in the month following the last day of service.
- 7.1.3.3 In terms of the BCEA, chapter 3, 20(5) an employer may not require or permit an employee to take leave during any period of notice of termination of employment.
- 7.1.3.4 All other leave types do not qualify for payments envisaged in this paragraph and must, subject to the applicable procedures, be taken while the employee is still in the employ of the University.

7.2 SICK LEAVE

Sick leave is granted where an employee is unable to attend work due to illness or injury. All periods of sick leave shall be granted in terms of the relevant provisions of the BCEA as amended from time to time.

7.2.1 Entitlement

7.2.1.1 During a 36 month leave cycle, an employee shall be entitled to the same number of days of sick leave equal to the number of days that employee works over a period of six weeks¹. For full time employees this is equal to 30 days of sick leave (5 days per week x 6) in every sick leave cycle.

7.2.1.2 During the first six months of employment, the employee is entitled to one day of sick leave for every 26 days worked.

7.2.2 Notification of sick leave

7.2.2.1 In order to facilitate operational planning, an employee who is unable to attend work due to illness or injury, shall inform the relevant line manager telephonically or by email or social media prior to the start of the working day or as soon as is reasonably possible thereafter, but generally by no later than 10h00 on the day of the intended absence.

7.2.2.2 Staff should ensure that they nominate a person to inform their line manager of their absence in the event they are unable to do so themselves due to nature of their illness or injury.

7.2.3 Proof of incapacity

An employee will be required to produce a medical certificate issued and signed by a registered medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professions council established by an Act of Parliament, if absent:

- a. For two or more consecutive days, which include a Friday and/or Monday.
- b. On any day, which will result in an extended weekend where a public holiday falls close to a weekend.
- c. On more than two occasions in an eight week period during a period of notice of termination of service.
- d. On a frequent basis for less than two days at a time.

7.3 QUARANTINE LEAVE

7.3.1 Entitlement

Quarantine leave shall be granted to an employee who, for purposes of containing the spread of a virus declared as a national disaster under the Disaster Management Act of 2002, as amended, has:

- a) had contact with a person known to be infected by the virus
- b) travelled to high risk regions
- c) been identified as a person under investigation (for whatever reason)
- d) had a cough and/or fever (37.8 degrees)

- e) medically tested positive with the virus

7.3.2 Notification of Quarantine Leave

- 7.3.2.1 In order to facilitate operational planning, an employee who is unable to attend work due to illness or injury, shall inform the relevant line manager telephonically or by email or social media prior to the start of the working day or as soon as is reasonably possible thereafter, but generally by no later than 10h00 on the day of the intended absence.
- 7.3.2.2 Staff should ensure that they nominate a person to inform their line manager of their absence in the event they are unable to do so themselves due to nature of their illness.

7.3.3 Self-quarantine (self-isolation)

- 7.3.3.1 It is acknowledged that an employee may need to self-quarantine after being in contact with confirmed positive people, and may be allowed quarantine leave provided the relevant proof is submitted for these purposes, e.g. test results of a person who tested positive or confirmation by National Institute of Communicable Diseases (NICD) that such a person had tested positive.
- 7.3.3.2 Where appropriate, approval could be granted for employees to work from home as per the Policy on Working Remotely. Where employees are required and are able to work from home, the leave shall be fully paid.
- 7.3.3.3 Where employees are unable to work from home, the University shall have the right to:
 - a) treat such period of leave as unpaid leave, or
 - a) allow the affected employee to take annual leave; and/or
 - b) to pay, in its discretion, the whole or a portion of the employee's salary during this period.
- 7.3.3.4 In the event of the quarantine leave coinciding with the sabbatical/study leave period, an employee may apply for a deferral of the latter leave as per paragraph 11.2 of the Sabbatical Leave Policy.

7.3.4 Showing symptoms of the virus at the work place

- 7.3.4.1 In the event that a fellow employee or the line manager has reason to believe that an employee has contracted or presents with the symptoms of the virus, they must refer such an employee to the relevant SET member.
- 7.3.4.2 The SET member must have a confidential conversation with the employee regarding self-quarantine and possible medical assessment as part of the medical surveillance responsibility of the University. The cost of such assessment would be for the University, and the department would pay from its budget.

7.3.5 Conversion of quarantine leave into sick leave

- 7.3.5.1 In the case of an employee feeling sick and showing signs that they may be infected with the virus, a period of self-quarantine would be required for a period of 2 days without producing a medical certificate, but the employee would still have to apply for such leave on the system in order to invoke their paid sick leave entitlement.
- 7.3.5.2 In the event that the symptoms persist beyond 2 days, the employee must consult with a registered medical practitioner for medical assessment. Should an employee be positively diagnosed with a virus, the registered medical practitioner must issue a medical certificate as per the legal requirements for an employee to present to the employer.
- 7.3.5.3 When medical assessment results prove positive for the virus and the condition is classified as severe i.e. requires hospitalisation, the employee will be entitled to the quarantine leave up to the maximum period provided for in the applicable regulations.

7.4 SPECIAL SICK LEAVE

- 7.4.1 Where an employee has exhausted the sick leave entitlement for the relevant sick leave cycle, accrued vacation leave must first be utilised for any additional sick leave required.
- 7.4.2 Where an employee requires sick leave but has exhausted both the sick leave and annual vacation leave entitlements, application for special sick leave may be made.
- 7.4.3 The granting of special sick leave is not automatic and the employee must submit a written motivation to relevant Dean or Head of Division. In addition, an employee must:
- a. Provide proof of incapacity per 7.2.3 above.
 - b. Agree to an independent assessment by a medical practitioner/specialist of the University's choice, where required, and to cooperate with such medical practitioner/specialist and provide him/her with all necessary medical records.
- 7.4.4 The decision to grant special sick leave shall be made by the Dean or Head of Division in consultation with the Senior Director Human Resources taking into account the following:
- a. The employee's length of service.
 - b. The employee's pattern of previous sick leave applications including where an employee has a tendency to exhaust sick leave in previous cycles.
 - c. The operational impact, including costs of finding a replacement.
 - d. The nature of the illness or injury.
 - e. The report of the University-appointed medical specialist, if applicable.
 - f. Any other relevant factor.
- 7.4.5 The Dean or Divisional Director, in consultation with the Senior Director HR, may also specify conditions to the granting of such special sick leave, depending on duration, including a reduced rate of pay during the period of special sick leave.
- 7.4.6 Where special sick leave is not approved, the employee may be granted unpaid leave, subject to conditions stipulated in Clause 7.12 of the Policy.
- 7.4.7 Where an employee regularly takes sick leave and exhausts sick leave entitlements, the University shall consider pursuing incapacity on the grounds of ill health.
- 7.4.8 Employees may be eligible for disability income benefits as a result of occupational disablement. A claim should be submitted in the correct format where:
- a. The employer suspects that the employee who has stopped working due to illness or injury or occupationally acquired disease or injury will be unable to return to work.
 - b. An employee who has returned to work after onset of illness or injury is unable to perform work duties.
 - c. An employee has been diagnosed with a progressive/ chronic condition, which is likely to result in a lengthy period of absenteeism from work.
 - d. Employees who are absent as a result of an injury on duty or occupation-related infection, accepted by the Workmen's Compensation Commissioner, must indicate this when applying for sick leave.
- 7.4.9 In the event of the special sick leave coinciding with the sabbatical/study leave period, an employee may apply for a deferral of the latter leave as per paragraph 11.2 of the Sabbatical Leave Policy.

7.5 LEAVE IN RESPECT OF CHILDBIRTH/ADOPTION

The employee continues to accrue vacation leave during the period of childbirth/adoption leave.

7.5.1 Maternity Leave

- 7.5.1.1 An employee is entitled to (4) four months of paid maternity leave.

7.5.1.2 Maternity leave may commence:

7.5.1.2.1 At any time from (4) four weeks before the expected date of birth, unless otherwise agreed or

7.5.1.2.2 On a date from which a registered health professional certifies that it is necessary for the employee's health or that of her unborn child.

7.5.1.3 No employee may work for six weeks after the birth of her child unless a registered health professional certifies that she is fit to do so.

7.5.1.4 An employee who has a miscarriage during the third trimester of pregnancy or delivers a stillborn child is entitled to maternity leave for (6) six weeks after the miscarriage or stillbirth, whether or not the employee had commenced maternity leave at the time of the miscarriage or stillbirth.

7.5.1.5 The University pays employees their full remuneration package during the paid maternity leave that is granted in terms of this policy, provided that the employee serves the University for an equivalent period on conclusion of the maternity leave. Should the employee not serve the requisite period, the paid maternity leave shall be converted to unpaid leave.

7.5.1.6 The employee continues to accrue vacation leave during the period of maternity leave and will be entitled to take this leave in addition to her maternity leave, subject to conditions specified in Clause 7.1.1.1 of the Policy.

7.5.1.7 For employees who are on the long leave system, maternity leave is not deducted when determining the requisite years of service for eligibility.

7.5.1.8 Unpaid leave may be attached to maternity leave, but applications for such leave are considered on an individual basis and in terms of work constraints. Unpaid leave is granted only once vacation leave is exhausted.

7.5.1.9 If an employee is on probation, at the commencement of the maternity leave, the outstanding period of the probation will be deferred until the employee returns to work.

7.5.1.10 Where an employee's maternity leave falls in the approved period of sabbatical leave, such employee should submit an application for the deferral of the sabbatical leave deliverables without accruing penalties specified in paragraph 15.3 of the Sabbatical Leave Policy. The leave cycle is also unaffected.

7.5.1.11 The employee must apply for maternity leave at least three months in advance of the envisaged commencement date via the Oracle system. The employee must provide a certificate from a registered health professional confirming the pregnancy and expected date of delivery.

7.5.2 Special parental leave

7.5.2.1 Special parental leave is leave that either parent may take in order to play the primary parenting role for a child up to the age of (3) three months.

7.5.2.2 Where this parent is not the biological mother, the employee applying for parental leave must provide an affidavit stating that she/he will be playing the primary parenting role. An employee is only entitled to claim one category of leave and Special Parental Leave will not be granted where the employee applies for, or is entitled to maternity leave or adoption leave.

7.5.2.3 Such leave would normally commence (6) six weeks after the child is born (assuming the biological mother is taking the primary parenting role for the first (6) six weeks) except if:

7.5.2.3.1 The biological mother has died, or

7.5.2.3.2 A registered health professional has agreed that the biological mother can go back to work before (6) six weeks have elapsed, or

7.5.2.3.3 A new-born child is adopted, or

7.5.2.3.4 The biological mother provides a sworn affidavit that she will not be playing the primary parenting role in the first six weeks after birth.

- 7.5.2.4 Such leave will not exceed (3) three months, is remunerated on the same basis as maternity leave and subject to the same conditions regarding prior and subsequent service.
- 7.5.2.5 An employee who does not play the primary parenting role is entitled to (15) fifteen days' family responsibility leave in respect of the birth or adoption of a child. This leave need not be taken as consecutive days, and may be split to cover the time of the birth of the child and the time when the mother returns home.
- 7.5.2.6 In the event of the special parental leave coinciding with the sabbatical/study leave period, an employee may apply for a deferral of the latter leave as per paragraph 11.2 of the Sabbatical Leave Policy.

7.5.3 Adoption leave

- 7.5.3.1 In the case of the legal adoption of a child up to (12) twelve months old, an employee who will play the primary parenting role is entitled to (4) four months of adoption leave. An employee will not be entitled to both Special Parental Leave and Adoption leave for the same child.
- 7.5.3.2 The University may on motivation also grant adoption leave in the case of children who are older than (12) twelve months. In such cases, the period of leave is flexible depending on the circumstances, inter alia the age and health of the child and the preceding relationship, but it will not exceed (4) four months.
- 7.5.3.3 In either case, such leave is remunerated on the same basis as maternity leave and subject to the same conditions regarding prior and subsequent service.
- 7.5.3.4 In the event of the adoption leave coinciding with the sabbatical/study leave period, an employee may apply for a deferral of the latter leave as per paragraph 11.2 of the Study/Sabbatical Leave Policy.

7.5.4 Paternity Leave

- 7.5.4.1 The University grants to an employee two (2) months of paid paternity leave per occasion when the employee's child is born.
- 7.5.4.2 The University pays employees their full remuneration package during the paid paternity leave that is granted, provided that the employee serves the University for an equivalent period on conclusion of the paternity leave. Should the employee not serve the required period, the salary paid to the employee during paternity leave shall be refundable to the University in full.
- 7.5.4.3 The employee continues to accrue vacation leave during the period of paternity leave.
- 7.5.4.4 If an employee is on probation, at the commencement of the paternity leave, the outstanding period of the probation will be deferred until the employee returns to work.
- 7.5.4.5 The employee must apply for paternity leave at least three months in advance of envisaged commencement date via the Oracle system, provided that the employee provides the University with an unabridged birth certificate within 30 days of the child being born.
- 7.5.4.6 Abuse of these provisions will result in disciplinary action being taken against the employee in question.
- 7.5.4.7 In the event of miscarriage, an employee shall be entitled to family responsibility leave as per the Leave Policy.
- 7.5.4.8 In the event of the paternity leave coinciding with the sabbatical/study leave period, an employee may apply for a deferral of the latter leave as per paragraph 11.2 of the Sabbatical Leave Policy.

7.6 FAMILY RESPONSIBILITY LEAVE

- 7.6.1 The University further grants an employee with at least fifteen (15) days of family responsibility leave per annum, which the employee must apply for and is entitled to take:
- a. In the event of illness of any of the immediate family members or those towards whom the employee has a legal duty of support (employee's spouse, recognised partner, parent, adoptive parent, parent-in-law, grandparent, child, son/daughter in-law, adopted child, grandchild or sibling), or
 - b. In the event of the death of any immediate family member or those towards whom the employee has a legal duty of support as indicated in paragraph 7.6.1 (a) 7.6.2 The University may expect reasonable proof of any of the events covered in paragraph 7.6.1 (a) and (b) above.
- 7.6.3 If the employee does not use any part of the leave entitlement under this section in any given calendar year it lapses at the end of that calendar year.
- 7.6.4 In exceptional circumstances, on compassionate grounds, additional family responsibility leave may be granted, inter alia, in the event of more than one occurrence of the circumstances listed in Clause 7.4.1 during one calendar year or where the family member resides overseas. In such cases, permission of the Senior Director Human Resources is required and the relevant proof must be provided.

7.7 EXAMINATION LEAVE

- 7.7.1 The University may grant employees paid examination leave up to a maximum of twenty (20) working days per annum for approved courses of study at NQF level 4 (matriculation level) and above, at recognised educational institutions, as follows:
- a. Two (2) days leave for revision, per full examinable subject.
 - b. One (1) day of paid leave for the relevant examination.
- 7.7.2 The employee must provide reasonable proof that they are registered for the course as well as proof of the examination date. The University may also request proof that the examination was written, failing which the leave may be converted to vacation or unpaid leave.
- 7.7.3 Examination leave shall not generally be granted for repeat courses where an employee has previously been granted examination leave for the same course but has failed.
- 7.7.4 Applications for examination leave must be made at least ten (10) working days in advance of the examination. Leave for revision may be granted at any stage ten working days prior to examination and does not have to be consecutive.
- 7.7.5 Examination leave is only granted for examinations used for final summative assessment purposes for a particular subject/course and not for other periodic tests and assessments.
- 7.7.6 Examination leave is not accrued and falls away if not used in any calendar year.
- 7.7.7 As an alternative, paid leave up to a maximum of (10) ten working days per annum is granted to a member of the support staff for writing up research in fulfilment of the requirements of a postgraduate degree or for finalising research for publication of an article relevant to their job, in a SAPSE accredited journal. This leave is not automatic and is subject to reasonable proof being provided that the employee has completed requirements for a postgraduate degree and is writing up the dissertation or research component. In the case of leave to finalise a publication, such leave will be converted to vacation leave if proof of acceptance of the article, for publication is not submitted to Human Resources within six months of resuming duties.

7.8 SABBATICAL LEAVE (ACADEMIC & RESEARCH STAFF)

- 7.8.1 The University provides sabbatical leave to enable academic and research staff to pursue a programme of research and professional development (sabbatical leave).
- 7.8.2 The Sabbatical leave is also intended to improve scholarship and research (including creative outputs as approved by the Department of Higher Education and Training), where work is to be published in book form or in journals of standing including creative work outputs.
- 7.8.3 It is acknowledged that academic staff members may need time to complete higher degrees as part of their professional development. Therefore, the principles and conditions espoused in the Sabbatical Leave Policy shall apply, provided that a letter of support from the supervisor is submitted and that a publication is generated.
- 7.8.4 The policy and procedures for granting sabbatical leave are contained in a separate policy HRA 22, which must be read together with this policy.

7.9 PROFESSIONAL DEVELOPMENT LEAVE (PROFESSIONAL AND ADMINISTRATIVE STAFF)

- 7.9.1 Professional and Administrative Staff may with the consent of the Dean or Divisional Director attend approved courses offered by the University during working hours provided such courses do not require more than five (5) contact hours during the working week or a maximum of ten (10) working days per annum if the course is run on full days.
- 7.9.2 The course of study must be directly related to the employee's current position in the University and the absence must not impose any hardship on the operational efficiency and effectiveness of the relevant unit.
- 7.9.3 The employee is required to make up all authorised time-off granted for this purpose either after hours or during lunch time and must submit a detailed plan in this regard at the time of application.

7.10 RETENTION OF LONG LEAVE (PROFESSIONAL AND ADMINISTRATIVE STAFF)

- 7.10.1 Long leave will continue to be granted, as follows, to those professional and administrative staff who were appointed before 1 January 1986 and who have retained their entitlement to such leave:
 - a. Grades 11 – 15: 2 months after 10 years' service.
 - b. Grades 10 and above: 3 months after 6 years' service.

7.11 LEAVE FOR MOVING HOUSE

- 7.11.1 An employee is granted a maximum of (1) one day's leave, every three years, which may be used when he/she moves home.
- 7.11.2 The employee is required to produce proof of change in address e.g. a signed lease agreement or a utility bill reflecting the new address before the requisite leave is granted.
- 7.11.3 This leave does not accrue and if it is not used in any three-year period, it lapses.

7.12 UNPAID LEAVE

- 7.12.1 The University may grant an employee unpaid leave, setting appropriate conditions, if arrangements can be made for the performance of her/his duties during the period of absence. Normally the employee must have completed one year's service before such leave is granted.
- 7.12.2 All applications for unpaid leave must be made via Oracle HR and approved by:
- a. Head of School/Department : up to 3 months
 - b. Dean/Head of Division : four-twelve months
 - c. Faculty Staffing and Promotions : longer than 1 year
 - d. HRC Standing Sub-Committee : longer than 1 year
- 7.12.3 Where an employee who is a member of the University-approved Medical Aid Scheme is granted unpaid leave s/he may choose either to:
- a. Terminate his/her membership during the period of unpaid leave and reapply when resuming duty, subject to underwriting conditions of the Scheme.
 - b. Maintain his/her membership during the unpaid leave but assume full responsibility for the total premium
- 7.12.4 All subventions/subsidies and allowances cease for the period of unpaid leave.
- 7.12.5 Membership of the relevant retirement/provident fund is suspended for the period of the unpaid leave and neither the University nor the member can contribute to the fund during that period - except in the case of members of the Associated Institutions Pension Fund (AIPF) who are required to maintain their own and Council's contributions to the Fund if the leave period does not exceed three months; if it does, application may be made to have payments suspended.
- 7.12.6 Members of the University of the Witwatersrand Retirement Fund may apply through the Pensions Office, on an individual basis, to maintain risk cover (at their expense) during the leave period.
- 7.12.7 The annual bonus, vacation leave entitlement and credit towards study leave are reduced pro rata by the period of unpaid leave.

7.13 SPECIAL LEAVE FOR VICE-CHANCELLOR/VICE-PRINCIPAL/DEPUTY VICECHANCELLOR/ DEAN/HEAD OF SCHOOL ON RETURN TO PERMANENT ACADEMIC POST

- 7.13.1 On reverting to/assumption of his/her substantive academic position an outgoing vice-chancellor, vice principal (VP), deputy vice-chancellor, dean or head of school is granted an initial period of special paid leave to prepare him/herself for the return to academic pursuits. Such leave is not granted where the position being taken up is in a capacity other than academic or when an employee would retire before the conditions specified in clause 7.13.5 are fully met.
- 7.13.2 The period of leave relates to the time served as vice-chancellor/vice principal/deputy vice-chancellor/dean/head of school, i.e. it accrues at the rate of one month for each completed year of service in the relevant office.
- 7.13.3 The special leave must generally be taken within three months after the conclusion of the term of office, failing which it is forfeited. However, special leave may be deferred in exceptional circumstances, for example where the employee is prevented from taking such leave due to operational requirements of the University or where the employee is appointed to a higher level post such as vice-chancellor, vice principal, deputy vice-chancellor or dean, during or immediately after his/her term as deputy vice-chancellor, dean or head of school respectively. The rate of remuneration payable during any special leave in terms of these provisions will be at the rate of remuneration payable to the employee as at date when leave is taken.

- 7.13.4 Where an outgoing vice-chancellor, vice principal, deputy vice chancellor, dean/head of school is reverting to his/her previous full-time continuous academic appointment, he/she is also entitled to apply for study/sabbatical leave accrued prior to appointment as vice-chancellor/vice principal/deputy vice-chancellor/dean/head of school, provided that the combined period of special and study/sabbatical leave granted does not exceed one year. In exceptional circumstances, individual consideration may be given where the accumulated leave period exceeds this limit.
- 7.13.5 Where a period of special and or study/sabbatical leave is granted, it is subject to the University's regulations (HRA22) and the employee must undertake to remain in the service of the University for an equivalent period on conclusion of the leave period. If the employee does not comply with this condition, he/she is required to refund all monies paid to him/her by the University during the period of leave.
- 7.13.6 Special leave granted in these provisions may generally not be taken whilst an employee holds a senior leadership position including head of school, dean, deputy vice-chancellor, vice principal or vice-chancellor. However in exceptional circumstances where it is necessary for a HoS/Dean/DVC to attend to academic or professional duties during the employee's term of office as HoS/Dean/DVC, the Vice-Chancellor may on motivation, grant up to a maximum of three months special leave to be taken whilst in office, as follows:
- a. This leave is only applicable to HoS/Deans/DVCs who have served or are serving two consecutive terms as either HoS/Dean/DVC or who previously served a term as Head of School immediately prior to appointment as Dean/DVC. It accordingly may only be taken once every ten years.
 - b. Leave granted in these circumstances is not automatic nor is it intended to be vacation leave and may only be used for academic or professional activities related to the employee's academic discipline or his/her position in the leadership and management of the University. The objectives and outcomes must be clearly specified in the motivation.
 - c. Any such leave granted will be deducted from the special leave accrual referred to in 7.13.2 above and the employee must be in a position to serve the University for at least 3 months after the relevant term of office.
- 7.13.7 Exceptional special leave requests for the vice-chancellor and vice-principal are considered by Council, on motivation from the incumbent and subject to the conditions stipulated in Clause 7.13.1 and 7.13.5.

7.14 AUTHORISED WORK-RELATED ABSENCE

- 7.14.1 An employee may, subject to the necessary proof being provided and with the advance approval of his or her line manager through the Oracle HR system, be granted paid time off to attend to professional work-related activities including, inter alia, the attendance of conferences, professional development/training workshops/seminars, research field work and to perform the duties of external examiner. This does not include time-off for personal study purposes, unrelated to employee's current work.
- 7.14.2 Academic employees may be granted paid time-off for approved consultancy activities in terms of the applicable policies as approved from time to time.
- 7.14.3 The paid time-off in the case of conferences, external examination, workshops and research fieldwork may generally only be authorised for the actual conference, examination, workshop or field trip days and for the time taken to travel to and from the venue or location. It does not include rest or leisure days for visiting or sightseeing purposes. The employee must apply for vacation leave for rest or leisure days. Where the work-related absence is for more than three days, the permission of the Dean or Divisional Head is required.
- 7.14.4 The absence of SET and SMG members on overseas visits during working time requires the prior approval of the Chairperson of Council, Vice-Chancellor or Deputy Vice Chancellor, as appropriate. All international trips must be clearly motivated including its

benefits and envisaged outcomes and must comply with the relevant guidelines published from time-to time.

7.15 TIME-OFF FOR UNION ACTIVITIES

- 7.15.1 The University shall, in accordance with valid recognition agreement, grant duly elected Union representatives reasonable time-off during working hours to perform the agreed upon functions provided that such time-off does not interfere with the reasonable operational requirements related to the relevant Union representative's job.
- 7.15.2 Union representatives must obtain the prior approval of their line manager for all time-off for Union activities through the Oracle HR system.

7.16 LEAVE IN LIEU OF OVERTIME

- 7.16.1 In terms of HRG 48, employees at Peromnes Levels 10-11, who earn above the threshold in the BCEA, may be granted leave in lieu of overtime at the rate of 90 minutes for each hour of overtime worked. Leave in lieu of overtime must be taken within twelve months of the employee having earned the leave. Leave not taken in this period will be forfeited.

VERSION HISTORY

Version	Date	Summary	Changed by
2	23/07/2015	An agreement with the unions for a multi-year salary increase has necessitated the amendment of the Leave Policy to incorporate paternity leave provisions. In incorporating paternity leave provisions, the special parental leave provisions become obsolete and need to be repealed	HRC
3	08/10/2015	Incorporated comments and inputs made by the HRC at its meeting of 29 July 2015	HRC
4	24/02/2016	Insertion of paternity leave approved by HRC and is submitted to Senate for consideration and recommendation to Council for approval.	HRC
5	22 July 2020	The Leave Policy must be amended to give effect to the multi-year collective agreement of 2019, as well as address the recent challenges presented by the COVID-19 pandemic	HRC

ⁱ Per Basic Conditions of Employment Act No. 75 of 1997, as amended from time to time.