

NDLAMBE MUNICIPALITY
CORPORATE SERVICES



STAND-BY, SHIFT AND NIGHT WORK ALLOWANCE
POLICY

Table of Contents

1 DEFINITIONS.....3

2 LEGISLATIVE FRAMEWORK.....3

3 OBJECTIVES.....4

4 APPLICABILITY4

5 STAND-BY ALLOWANCE4

5.1 STANDBY CONDITIONS.....4

5.2 PAYMENT OF STANDBY ALLOWANCE4

5.3 ROLE OF THE LINE MANAGER.....5

6 NIGHT WORK ALLOWANCE.....6

6.1 NIGHT WORK CONDITIONS6

6.2 PAYMENT OF NIGHT WORK ALLOWANCE6

7 SHIFT WORK ALLOWANCE8

8 EMERGENCY WORK.....8

9 POLICY REVIEW.....8

10 ROLES AND RESPONSIBILITIES.....8

1 DEFINITIONS

- *Emergency work* means any work to be done without delay in respect of the interruption of essential services, arising from fire, an accident, a mishap, a storm, an epidemic, an act of violence, failure of equipment or machinery or any other unforeseen event. Emergency work excludes the performance of routine maintenance work outside normal working hours.
- *Night Work* means work performed between 18h00pm and 06h00am the next day.
- *Overtime* means the time worked by an employee which is in excess to the employee's ordinary hours of work.
- *Shift allowance* means a non-pensionable allowance which is payable to employees who do shift work on a regular basis.
- *Stand-by service* means the period determined by the employer during which an employee shall be on the alert for a call-out in the event that they are required to present themselves for duty.
- *Structured overtime* means planned and/or programmed overtime determined and/or approved by the employer including Council, Committee and official meetings of which minutes are to be kept that continues or scheduled after normal working hours.

2 LEGISLATIVE FRAMEWORK

This policy is established within the framework of the following legislation and regulations:

- The Basic Conditions of Employment Act, 1997 (Act no 75 of 1997)
- Labour Relations Act, 1995 (Act No. 65 Of 1995)
- Municipal Systems Act 32 of 2000
- All collective agreements as amended from time to time, concluded in the South

African Local Government Bargaining Council (SALGBC)

3 OBJECTIVES

To provide guidelines for the administration and remuneration of shift, night and standby work as provided for in the applicable legislation and Collective Agreements.

4 APPLICABILITY

This Policy is applicable to all employees of the Municipality excluding:

- The Municipal Manager.
- Section 56 Managers and other Managers reporting directly to the Municipal Manager.
- Employees who work less than 24 hours in a month.

5 STAND-BY ALLOWANCE

5.1 Standby Conditions

- 5.1.1. Persons providing essential services will be required to do standby duty from time to time during which the person must be available should their services be needed.
- 5.1.2. An employee must be authorised by the manager or his/her nominee and HR to be eligible for stand-by allowance payment.
- 5.1.3. An employee shall be eligible for stand-by allowance calculated in accordance with the Collective Agreements.
- 5.1.4. When an employee is placed on stand-by, it is expected that s/he will be within a reasonable radius that will enable him/her to be readily available for duty when called out.
- 5.1.5. Should the employee on stand-by duty not be called out s/he will still be eligible for stand-by allowance payment as determined in accordance with the Collective Agreement.
- 5.1.6. In the event that an employee is called out after his/her normal working

- 5.3.1 Based on valid reasons, analyze the need for an employee(s) to be on standby and make recommendations to the Head of Department and the HR Department.
- 5.3.2 Responsible for drafting a standby schedule on a monthly basis and ensure that the schedule is approved by the Head of the Department before any employee is assigned on standby duty.
- 5.3.3 All Managers are responsible for ensuring that approved standby claims are submitted to Pay Office and that employees are reimbursed timeously;
- 5.3.4 Ensure fair and equitable administration of remuneration of standby allowance
- 5.3.5 Consider budget and availability of funds;
- 5.3.6 Assist employees in the completion of forms for standby allowance;
- 5.3.7 Maintain accurate and up-to-date records of employees' remuneration of standby allowance for audit purposes, when required; and
- 5.3.8 Evaluate standby allowance in an equitable and non-prejudicial manner and ensure that they are considered only as a last resort.

6 NIGHT WORK ALLOWANCE

- 6.1 *Night work conditions*
 - 6.1.1 Night work is applicable to an employee who is required to work some or all of his/her work duty hours between 18h00pm and 06h00am the next day.
 - 6.1.2 The municipality shall ensure that transportation is available for night work employees between their place of residence and the workplace at the commencement and conclusion of the night work hours.
 - 6.1.3 An employee who works at night shall be paid a night work allowance.
 - 6.1.4 The municipality must inform the employee in writing if it is required that the employee work on a regular basis at night between 18h00pm and

06h00am the next day.

- 6.1.5 An employee paid a night work allowance shall not be entitled to a shift work allowance.
- 6.1.6 Night work allowance shall not be paid to employees whose salary is a minimum and above of R241,110.59 per annum.
- 6.1.7 The need for having employees available on a readiness basis must be dictated by the possibility that situations could arise which could lead to losses, interruptions in service delivery and risks to the safety of persons and property.
- 6.1.8 The need for having officials on standby need not be of a continuous nature. The duration of a standby arrangement can be dictated by seasonal occurrences, job requirements or a once- off occurrence.
- 6.1.9 Standby Allowance will only be paid when submitted with the schedule approved by the Head of Department.
- 6.1.10 Provision must be made for funds in the medium-term expenditure framework.
- 6.1.11 An employee is entitled to a night work allowance when he/she is permitted or required by the Employer in terms of Section 17 (2a) of the BCEA and approved by the Municipal Manager or his delegate to perform night-work.

6.2 *Payment of night work allowance*

- 6.2.1 The night work allowance shall be calculated at R4.50 per hour. This amount will be increased annually with salary increases.
- 6.2.2 If the employee is required to work at night on Saturdays, the employer shall pay the employee one and half times the normal night work allowance rate.
- 6.2.3 If the employee is required to work at night on Sunday and on a Public Holiday, the employee shall be paid double the amount of the normal night work allowance rate.

7 SHIFT WORK ALLOWANCE

- 7.1 A shift allowance will be paid to an employee who is involved in continuous process work where operations are running on a 24 hours 7days a week system. This will include emergency / essential services employees.
- 7.2 A shift allowance of 6% of the employees' basic annual salary shall be paid on a monthly basis.
- 7.3 Employees who receive a shift allowance are not entitled to night allowance.
- 7.4 If the employee's shift falls on a Sunday and on a Public Holiday, the employee shall be paid double the amount of the normal shift work allowance rate.
- 7.5 In order for an employee to be paid a shift allowance, the supervisor must motivate shift work for the employee(s) for recommendation by the Director and approval by the Municipal Manager.

8 EMERGENCY WORK

- 8.1 Emergency personnel shall work for a 45 hour working week.
- 8.2 An emergency work employee may be required to perform emergency work that cannot be performed during normal working hours.
- 8.3 Any additional hours of work over and above the 45 hours per week shall be deemed to be overtime and shall be remunerated in terms of the overtime policy.

9 POLICY REVIEW

This policy will be reviewed as per the review processes of the Bargaining Council Collective Agreement reviews on employee wages and benefits.

10 ROLES AND RESPONSIBILITIES

- 10.1 The Municipal Manager or his/her nominee accept overall responsibility for

the implementation and monitoring of the policy.

10.2 The role of Corporate Services is to:

- a) **Oversee the administration and management of issues of conditions of services including standby, shift and night shift allowances;**
- b) **Monitor and evaluate remuneration of standby, shift and night shift allowances within the Municipality;**
- c) **Ensure that the department reports on standby, shift and night shift allowances; and**
- d) **Amends and implements any changes to the provisions of this policy.**