

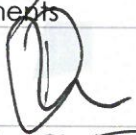
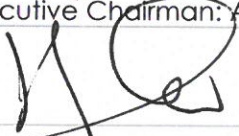




AM Group of Companies

# Leave Policy

**CONTROL PAGE**

<b>Version:</b>	V.2.00	
<b>Title:</b>	Leave Policy	
<b>Reference Number:</b>	HCD-RMP-014POL	
<b>Effective Date:</b>	July 2017	
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## Contents

1.	INTRODUCTION .....	3
2.	PURPOSE .....	3
3.	SCOPE.....	3
4.	DEFINITIONS.....	3
5.	ROLES AND RESPONSIBILITIES.....	4
6.	IMPLEMENTATION.....	7
7.	DISTRIBUTION LIST .....	15
8.	DOCUMENT AMENDMENT.....	16

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## 1. Introduction

AM Invest employees will be granted leave in accordance with the Basic Conditions of Employment Act (75 of 1997) and in some cases, additional benefits have been included.

## 2. Purpose

The purpose of this policy is to regulate all matters pertaining to leave of absence and to provide guidelines for AM Invest management and staff. AM Invest is committed to creating a working environment that is conducive to efficient and effective service delivery and that is sensitive to the circumstances of its employees in a manner that promotes these objectives. The leave policy has been developed taking into consideration the operational requirements of AM Invest and the nature of its business.

## 3. Scope

- 3.1. All AM Invest employees (this includes Permanent and Fixed Term Contract employees as well as Interns).
- 3.2. Individuals with commercial contracts with the company will be managed in accordance to the company's Procurement policy.

## 4. Definitions

- 4.1. **Annual leave Cycle:** A period of 12 months employment with the same employer immediately following an employee's commencement of employment
- 4.2. **Sick leave cycle:** A period of 36 months employment with the same employer immediately following commencement of employment
- 4.3. **Eligible employee:** All AM Invest employees within the following categories: Permanent, Fixed term Contractors and Interns
- 4.4. **Special leave:** Any leave granted at the discretion of the Executive Chairman for extraordinary circumstances

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## 5. Roles and Responsibilities

Type of Leave	Stakeholder	Role
Annual Leave	Employee	Submits the Application (via ESS/ manual form in cases where ESS is not working) for Annual Leave to their Line Manager in advance for authorisation after the leave has been requested from the Line Manager.
	Line Manager	Authorises the leave on ESS which then automatically updates the system/ forwards the manual Leave Form to Human Capital for capturing on the system.
		Monitor Employees' annual leave days on a regular basis and advises Employees timeously where leave accumulation is too high and the Employee is likely to forfeit leave.
	Human Capital	In instances where manual leave is submitted, Human Capital will update the system
Conducts regular leave audits to ensure policy compliance.		
Sick Leave	Employee	Notifies their Line Manager before 09am on the day of their absence and keeps Line Manager informed of possible length of absence.
		Submits the Application for sick leave with the supporting documentation if required to their Line Manager on ESS/ manually (only in cases where the system is not working).
	Line Manager	Authorises the sick leave on ESS / forwards the manual Leave Form to Human Capital
		Where an application is declined due to no supporting documentation being provided in accordance with the guidelines below, the Line Manager will discuss the decision with the Employee and Annual or Unpaid Leave will automatically be enforced.
	Human Capital	In instances where manual leave is submitted, Human Capital will update the system.
		Conducts regular leave audits to ensure policy compliance.

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Type of Leave	Stakeholder	Role
<b>Family Responsibility Leave</b>	Employee	Submits the Application for Family Responsibility Leave with supporting documentation to their Line Manager on ESS/ manually (only in cases where the system is not working).
	Line Manager	Considers the Application based on its merits in consultation with Human Capital, if necessary. Authorises or declines the leave on ESS / forwards the Leave Form to Human Capital.
		Where an application is declined after consultation, the Line Manager will discuss the decision with the Employee and Annual or Unpaid Leave may be agreed between the parties.
	Human Capital	In instances where manual leave is submitted, Human Capital will update the system.
<b>Paternity Leave</b>	Employee	Notifies their Line Manager as early as possible (at least 6 weeks before the anticipated confinement date).
		Provides reasonable proof for the requirement of paternity leave.
		Submits the Application for paternity leave with the supporting documentation if required to their Line Manager on ESS/ manually.
	Line Manager	Authorises the paternity leave on ESS / forwards the manual Leave Form to Human Capital
		Where an application is declined due to the application not meeting the guidelines for paternity leave, the Line Manager will discuss the decision with the Employee and Annual or Unpaid Leave may be agreed between the parties and submitted accordingly.
Human Capital	In instances where manual leave is submitted, Human Capital will update the system	

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Type of Leave	Stakeholder	Role
Maternity Leave	Employee	Notifies her Line Manager & Human Capital at least 3 months before the date on which she intends to commence maternity leave, and her intended date to return to work after maternity leave.
		Submits the Application for Maternity Leave and provides a Doctor's certificate confirming the potential due date to their Line Manager on ESS/ manually.
		Applies for UIF benefits herself
	Line Manager	Authorises the leave on ESS / forwards the manual Maternity Leave Form to the Human Capital.
	Human Capital	Assists the Employee with the completion of any applicable medical aid and Retirement Annuity documentation to be completed.
		Informs payroll of actions around deductions and benefits.
Payroll	Administer payroll activities (including salary adjustments) for the employee.	
Study Leave	Employee	Shares the academic calendar with the line manager at the commencement of studies.
		Submits a study leave application form at least two (2) weeks in advance to the Line Manager with the supporting documentation required attached manually / on ESS.
	Line Manager	Authorises the leave in accordance with the above guidelines – after verifying the attached supporting documentation on ESS / forwards the manual Study Leave application documents to Human Capital.
		Where an application is declined due to the application not meeting the guidelines for study leave, the Line Manager will discuss the decision with the Employee and Annual or Unpaid Leave may be agreed between the parties and submitted accordingly.
Human Capital	In instances where manual leave is submitted, Human Capital will update the system.	

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## 6. Implementation

### 6.1. Annual Leave

#### 6.1.1. Annual Leave Entitlement

- a) All eligible Employees are entitled to 22 working days paid **annual leave** per leave cycle.
- b) Annual leave excludes Weekends and Public Holidays.
- c) When an Employee wishes to take **annual leave** that exceeds their normal **annual leave** entitlement, such leave must be applied for and approved by the Line Manager in consultation with Human Capital before the leave commences. In these circumstances Unpaid Leave should be effected. Such leave should be applied for only in exceptional circumstances (which should be assessed by the manager in consultation with Human Capital).
- d) The maximum paid **annual leave** granted to any Employee will not exceed the number of days stipulated in a above.

#### 6.1.2. Accumulation of leave

- a) Annual leave is accrued at the rate of 1.833 per month during the annual leave cycle.
- b) An employee is permitted to take his/her leave days as they accrue.

#### 6.1.3. Leave Forfeiture

- a) The line manager / immediate supervisor will monitor the annual leave per employee to ensure that leave is taken within the leave cycle.
- b) In the event of excess days being accumulated, those days should be taken within six months of the new leave cycle. Should the days not be used within the aforementioned time period, these will be forfeited.

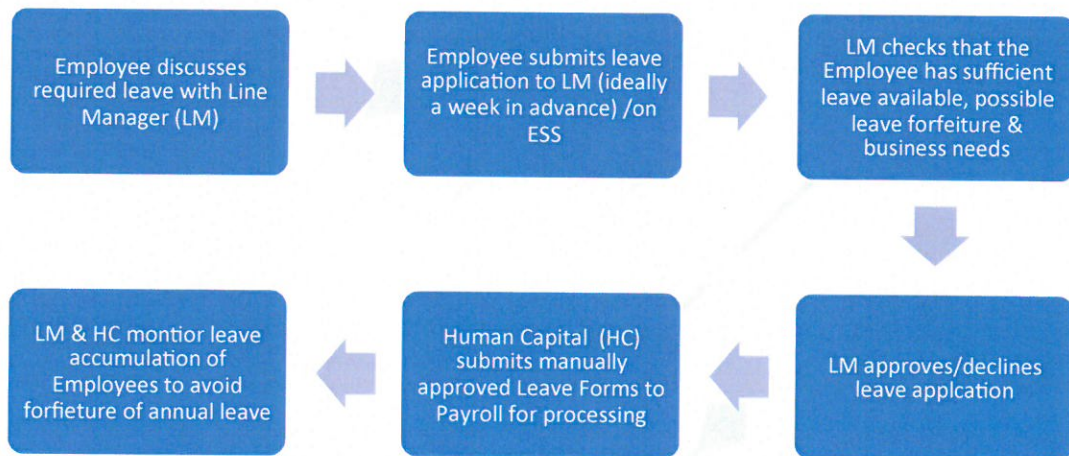
#### 6.1.4. Application for leave

- a) Employees must discuss their leave plans in advance with management for all annual leave taken.

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- b) Employees must apply for leave on ESS and ensure authorisation by the line manager prior to commencement of leave.
- c) Application for leave must be made in advance to allow for planning during an employee's absence.
- d) If an employee requires time off during official hours (for any reason), he or she must notify his/her manager prior to commencement of time off.
- e) Employees seeking time off for half their working day should apply for half day leave (0.5 days).

6.1.5. Leave application process:



6.1.6. Company Shut down Period

- a) AM Invest will for the period between Christmas and New Year holidays cease to operate. For this purpose, employees will have to apply for annual leave days, which will be treated as compulsory leave. Shut down periods will be communicated in time by the organisation.
- b) In the event of employees not having accrued sufficient Annual leave, employees can go into a debit for the shutdown period. Any additional leave required over and above the shutdown period will be unpaid leave.

Due to operational requirements, this clause 6.1.6. shall not apply to employees

employed in the following businesses:

- Hospitality businesses
- Security services
- VIP protective services

## **6.2. Sick Leave**

### **6.2.1. Sick leave entitlement and accumulation**

- a. In accordance with the Basic Conditions of Employment Act, employees are entitled to 30 working days paid sick leave in every 3-year cycle of employment, such entitlement is due only in the event that sickness or injury requires an employee to be absent from work.
- b. During the first six months of employment the Employee will be entitled to one day paid **sick leave** for every 26 days worked.

### **6.2.2 Application for leave**

- a. An employee who is unable to report for duty due to illness must inform his or her line manager by 09am on the day they are meant to report for duty, regardless of whether he/she has been to the doctor or not. In the event of the seriousness of illness or injury to an extent that the employee is unable to inform the line manager, a family member or any other person may inform the organisation of such illness or injury.
- b. A doctor's certificate must be produced for **sick leave** when:
  - An Employee is absent from work for more than two consecutive working days; or/and
  - An Employee is absent from work on a Monday or Friday or on a day preceding or following a Public Holiday
  - An Employee has been on paid **sick leave** on two or more occasions in any eight week period without producing a Medical Certificate. The Employee will be required to produce a Medical Certificate for each further instance of **sick leave** within the eight week period.
- c. If an employee fails to submit a medical certificate as specified above, then the company shall view the employee as having been absent without permission, in which case management reserves the right to take Disciplinary action.

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- d. AM Invest reserves the right to request an employee to visit a medical practitioner or specialist of its own choice, should AM Invest deem this to be necessary.
- e. Should an employee exhaust the 30 days allocated leave within a cycle but require further leave, annual leave can be utilised for the additional days after which unpaid leave will kick in.
- f. In the event of prolonged illness or injury, a manager in consultation with the Head of Human Capital can apply for Special leave from the Executive Chairman who will apply his/her discretion in determining the number of days that should be given. Such leave should not exceed a total of 20 days for the entire cycle.

#### **6.2.3. Injury on Duty (Paid leave)**

- a. Sick leave does not apply to instances where there is inability to work caused by a work related accident or occupational disease as defined by the Compensation for Occupational Injuries and Diseases Act (COIDA), except in respect of any period during which no compensation is payable.
- b. This implies that sick leave may not be used where the worker is booked off for longer than 3 days due to occupation related illnesses/injuries.
- c. If the employee is booked off due to work related accident or occupational disease for 4 days or longer but less than 3 months, the employer must pay the injured employee at 75% of his/her earnings from the first day until he or she returns to work.
- d. Once the 3-month period expires, the injured employee must claim compensation from the Compensation fund.

### **6.3. Family Responsibility Leave**

#### **6.3.1. Leave Entitlement and Application**

- a. Family Responsibility leave applies to illness or death of an employee's biological or adoptive child, spouse, life partner, biological or adoptive parent, sibling, grandparent and grandchild.
- b. An Employee may apply for Family Responsibility Leave where the Employee has been in the employment of the Employer for longer than four months.

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- c. An Employee is entitled to a maximum of three days paid Family Responsibility Leave during each annual leave cycle.
- d. An Employee may take such leave in respect of the whole or part of a day i.e. half a day.
- e. An employee will submit to his/her supervisor reasonable proof for the event for which such leave is required failing which he/she will not be entitled to any payment in respect of the number of days absent.
- f. Family Responsibility leave does not accrue and lapses at the end of each leave cycle. Any unused leave will be forfeited.

## 6.4. Paternity Leave

### 6.4.1. Leave entitlement

- a. Paternity leave applies to male employees where the employee is either a biological father of a newborn baby or legally adopts a new born baby.
- b. Employees are entitled to 5 days paid paternity leave per leave cycle.
- c. Additional time off must be taken as **annual leave** if available or alternatively as **unpaid leave**. **Sick leave or Family Responsibility** may not be granted for this purpose.
- d. Under current legislation UIF is not claimable.

## 6.5. Maternity Leave

### 6.5.1. Leave entitlement and application

- a. Maternity leave applies to all female employees within the company, the purpose is to ensure that employees are given reasonable time off from work in anticipation of and after the birth of the child in order to prepare for the birth and to care for the child/children.
- b. AM Invest will grant an employee 4 consecutive months maternity leave (88 days).
- c. It is the obligation of the female employee to notify AM Invest (Line Manager and Human Capital) of the day at which she intends to commence with and to return to work after maternity leave. Such notification must be forwarded to the

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company at least three months prior to the intended commencement of maternity leave.

- d. Employees must take maternity leave anytime from four weeks before the expected date of birth unless otherwise agreed to or on a date on which a medical practitioner certifies that it is necessary for the health/safety of either the employee or her unborn child/children.
- e. If it is necessary as per the medical practitioner for the health of the employee or the child, the employee may elect to take maternity leave for longer than 4 months. Such leave will be treated as Annual leave or sick leave in the case of the employee being too sick for duty and a medical certificate shall be produced.
- f. No employee may resume work within six weeks after the birth of her child/children unless such employee produces a doctor's report permitting her to do so.

#### 6.5.2. Benefits while on paid maternity leave

- a. An employee will not be entitled to paid **maternity leave** if she takes maternity leave within the first 12 months of her Employment.
- b. Employees that have been in the employ of the company for less than two years but more than one year will be entitled to four months maternity leave at 50% pay limited to two confinements (two births) after which no pay will be granted.
- c. Employees that have been in the employ of the company for two years and more will be entitled to four months maternity leave at full pay limited to two confinements (two births) per employee, thereafter an employee will be paid at 50% of their salary for two additional confinements after which no pay will be granted.
- d. While an Employee is on **maternity leave**, membership of the Retirement Annuity, Group Risk and Medical Aid will continue.
- e. An Employee who claims paid maternity leave and who resigns during her maternity leave or within a six (6) month period after her return to work, will be required to pay back the money paid to her by the Company for the period of her maternity leave on a pro-rata basis.

#### 6.5.3. Still Births and Miscarriages

- a. An employee who miscarries in the first trimester is entitled to one week's maternity leave.
- b. An employee who miscarries in the second trimester is entitled to three week's

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maternity leave.

- c. An employee who miscarries in the third trimester or bears a still born child is entitled to six week's maternity leave after the miscarriage or still birth, regardless of having commenced maternity leave at the time of the miscarriage or stillbirth.

## 6.6. Study Leave

### 6.6.1. Study leave entitlement and eligibility criteria

- a. This leave applies to all permanent employees whose studies have been pre-approved by the Company whether the studies have been funded by the company or not.
- b. The **study leave** will be for the day prior to and the day on which the examination is written i.e. 2 days per subject being written capped at the maximum number of days per calendar year as per the guidelines. Employees are eligible to 18 days per leave cycle (this includes the thesis/dissertation/research work).
- c. Application in respect of study leave must be made at least two weeks in advance.
- d. An official examination timetable showing the subjects to be written and the dates should be provided. Acknowledged and approved examinations are those examinations set by any of the Provincial or Government Educational Departments, a SA University, a Technikon, a Technical College a Professional Institution or Society or any such institution approved by management.
- e. If the examination is on a Saturday, only the preceding Friday may be taken as study leave.
- f. If the examination is on a Monday, only the Monday may be taken as study leave.
- g. Additional study leave for compulsory lectures:
  - It must be an integral part of the approved course of study;
  - One month's prior notice must be given to the Line Manager; and
  - Study leave in respect of examinations as outlined above and compulsory lectures together, shall not exceed the number of days as per the guideline per calendar year.
- h. An Employee may not take study leave while still working in their probation or serving their notice period.

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6.6.2. Forfeiture of study leave will take place if the Employee:

- a. Does not write the examination. Any study leave taken will be converted to annual leave – unless there is an acceptable reason which prevented the Employee from writing the examination.
- b. Fails an examination, for which study leave has been taken. No further study leave will be granted to re-write that particular examination.
- c. Leaves the Company within 6 months of taking study leave in excess of the 2 days per subject. This excess study leave taken within 6 months prior to departure will be converted to annual leave and an appropriate reconciliation performed.

## 7. Distribution List

<i>Copy No.</i>	<i>Recipient</i>	<i>Organisation</i>	<i>Signature</i>	<i>Date Received</i>
	Executive Chairman	AM Invest		
	Chief Operations Officer	AMCE		
	Managing Director	Business Investments		
	General Manager	AM Guard		
	Executive Chairman	Tsholetso Projects		
	Departmental Managers	All organisations		
<i>Soft copy sent through email</i>	All employees	entire group		

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