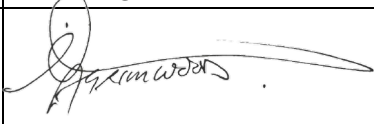




# POLICY DOCUMENT

## Leave Policy

Exco Review	
Signature Date	31 March 2026
Name	Ashraf Grimwood
Signature	

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## **Introduction**

Human Resources is responsible for guiding and managing the overall provision of Human Resources services, compensation, benefits, policies, and programs for the entire organisation. The mission of Human Resources is to maximise the productivity of the organisation by optimising the effectiveness of their workforce maintaining a fair, equitable, progressive, and positive work environment for all employees, in support of the mission of the organisation. It is based upon the belief that the success of the organisation, and its ultimate value, is primarily dependent upon its people; and that the development of the full potential for each employee will create job satisfaction and career opportunities for individuals and provide maximum benefit to the organisation and the communities it serves.

It is advisable that the HR policies are read in conjunction with the provisions of the following ACTS:

- (BCEA) Basic Conditions of Employment Act of 1997
- (EEA) Employment Equity Act of October 1998
- (SDA) Skills Development Act of 2008
- (OHS) Occupational Health and Safety Act of 1993
- (POPI) Protection of Peoples information Act of 2013
- (LRA) Labour Relations Act of 1995

## **In addition to the above, it is noted that**

Parental leave provisions reflect the Constitutional Court's judgment in Van Wyk and Others v Minister of Employment and Labour (3 Oct 2025) and the Labour Law Amendment Bill, 2025 published for public comment in February/March 2026. KI will update this policy if Parliament enacts different final wording

## **Purpose**

The purpose of this policy to give clear guidance to both managers and staff on leave categories within Kheth'Impilo (KI) following legal guidelines

## **Annual Leave**

In addition to the official South African public holidays, the Employee shall be entitled to 21 working days' annual leave in respect of every 12 months of continued employment with the Organisation (an Annual Leave Cycle). Annual leave will therefore be accumulated at 1.75 days for every calendar month worked by the Employee.

The Employee shall be paid [her/his] normal remuneration during annual leave.

Annual leave must be taken at times convenient to the Organisation and may only be taken with the prior written approval of the Organisation. The line manager must sign off the leave request form. A request for Annual Leave must be submitted in writing on the prescribed Application and/or electronic Annual Leave Form at least 2 (two) weeks in advance of such leave.

Approval of Annual Leave must be obtained before the Employee goes on leave. The Organisation will not unreasonably withhold consent for annual leave.

The accumulation of leave will be managed within reasonable levels to manage the risk to the Organisation and management may request the Employee to take leave should operational needs arise.

In the event that the Employee has not yet taken all of [her/his] annual leave accrued and available to [her/him] on termination of employment, the Employee shall be paid in respect of such accrued annual leave on termination.

In respect of annual leave taken in excess of [her/his] entitlement, deductions may be made from the Employee's final salary on termination of employment.

KI encourages staff to take at least 10 consecutive working days in an annual leave cycle, where sufficient leave balance exists. In the event the organisation declares a shut-down period during the festive period, the days will be deducted from the employees' available leave balance. EXCO will announce any such period by no later than the end of November each year. An employee may only return earlier from annual leave at the request of the organisation and due to operational requirements. The line manager must formally notify HR to reverse the cancelled leave days.

### **Shared Parental Leave (replaces maternity, parental, adoption and commissioning parental leave)**

Entitlement Model: A shared parental leave pool is available per child:

If only one parent claims leave: four (4) months;

If both parents claim leave: four (4) months plus ten (10) days, shared by agreement between the parents. The birthing parent must not work for six (6) weeks after birth unless medically certified fit.

This framework applies to birth, adoption (child under six years), and commissioning/surrogacy arrangements.

Shared parental leave is unpaid. Until the Unemployment Insurance Act is amended, only the birthing parent may claim UIF maternity benefits (subject to UIF qualifying rules).

Employees must notify KI in writing at least four (4) weeks before the intended start date and provide, where applicable, a written agreement indicating how the leave will be shared when parents have different employers. If parents cannot agree, the birthing parent may elect to take up to the full four months, leaving ten (10) days to the other parent.

Antenatal Appointments: Time off to attend antenatal appointments may be taken from sick leave (normal sick leave rules apply).

A non-birthing parent may submit only one parental-leave request within any 12-month cycle. Additional requests during the same cycle will not be approved under this leave category, unless exceptional circumstances apply and written approval is granted by HR in consultation with EXCO.

**The following is applicable to only the birthing parent**

- The leave may commence at any time from four weeks before the expected date of birth, unless otherwise agreed; or
- on a date from which a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of her unborn child.

An employee 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 the employee had commenced maternity leave at the time of the miscarriage or stillbirth.

An employee must notify an employer in writing, unless the employee is unable to do so, of the date on which the employee intends to—

- commence maternity leave; and
- return to work after maternity leave.
- Payroll will complete the necessary forms as required by the Department of Labour; ensuring the employee can apply for UIF benefits.
- The employee must complete all timesheets for the duration of the leave.
- While on shared parental leave, all benefits offered while in service continue and all leave is accrued.

HR will complete the necessary forms as required by Department Labour

In terms of the Labour Laws Amendment Act, an employee is entitled to 66% of his or her regular earnings subject to the maximum income threshold as per the Unemployment Insurance Act.

Contributors will not be entitled to be paid from the Unemployment Insurance Fund for maternity, parental, adoption or commissioning parental leave if they were not employed and contributing to the fund during the 13 weeks prior to applying for such benefits.

**Family Responsibility Leave**

Provided that the Employee has been in the employment of the Organisation for more than 4 months, the Employee shall be entitled to a total of 3 days' paid leave per annum in respect of:

- the death of the Employee's spouse/life partner, parent, adoptive parent, grandparent, child, adopted child, grandchild, sibling; and
- the birth or illness of the Employee's child.
- Before paying the Employee for leave in terms of this clause, the Organisation may require reasonable proof of the event for which the leave was required.
- Family responsibility leave may not be accumulated, and the Employee shall not be paid in lieu of or in respect of untaken family responsibility leave.

## **Sick Leave**

During every period of 36 consecutive months' employment with the Organisation (a Sick Leave Cycle), the Employee shall be entitled to 30 days paid sick leave. However, during the first 6 months of employment, the Employee shall only be entitled to one day's sick leave for every 26 days worked.

Sick leave may not be accumulated, and the Employee shall not be paid in lieu of or in respect of untaken sick leave.

The Employee must notify [her/his] supervisor immediately, and in any event not later than 08h00 on the first day of absence, if [she/he] is absent from work due to illness. Upon the Employee's return to work, [she/he] must complete the required leave form.

### **If the Employee is absent from work due to illness:**

- for more than two consecutive days; or
- on more than two occasions during an eight-week period; or
- on a Monday or a Friday; or
- if sick leave occurs seamlessly before or after annual leave; or
- the working day immediately before or after a public holiday;

A medical certificate must be submitted to the Organisation on the Employee's return. The Organisation may also require a medical certificate in other circumstances. If no medical certificate is submitted, the Employee shall not be entitled to be paid for the period during which [she/he] was absent.

The Organisation reserves the right to confirm the authenticity of any medical certificate submitted to it.

## **COIDA Leave (Injury on Duty)**

Kheth'Impilo (KI) complies with the Compensation for Occupational Injuries and Diseases Act (COIDA) and the amendments effective from 23 January, 1 February and 1 April 2026, which expand the definition of compensable injuries and extend statutory claim timelines.

### **When COIDA Leave Applies**

- COIDA leave applies when an employee suffers a workplace injury or occupational disease.

#### **This includes:**

- Injuries during employer-mandated training
- Injuries during employer-provided transport between designated pick-up and drop-off points;
- Post-Traumatic Stress Disorder (PTSD) caused by workplace incidents.

## **COIDA Claim Period**

- Employees now have up to three (3) years to lodge a COIDA claim with the Compensation Fund, extended from the previous 12 months.

## **Leave and Pay During COIDA-Related Absences**

- 3 days or fewer: Treated as sick leave.
- 4 days to <3 months: KI pays at least 75% of normal earnings from day one until return to work.
- >3 months: KI pays 75% for the first 3 months, after which the employee must claim temporary disability benefits from the Compensation Fund.

## **COIDA Leave Claim Steps**

The following steps must be followed without delay to ensure compliance and avoid claim rejection:

### **Step 1 — Report the Incident Immediately**

The employee must report the injury or occupational disease to their Line Manager as soon as possible.

The Line Manager must notify HR and complete the internal IOD incident report.

### **Step 2 — Obtain Medical Treatment**

The employee must visit a medical practitioner and obtain the First Medical Report (W.CL.2) indicating the diagnosis and whether the employee is booked off.

For diseases such as PTSD, the diagnosis must explicitly link the condition to a workplace incident.

### **Step 3 — HR Submits COIDA Documentation**

HR must complete and submit the following forms to the Compensation Fund:

Employer's Report of Accident (W.CL.2 or W.CL.1 equivalent)

First Medical Report

Any supporting documentation required for incidents occurring under expanded COIDA coverage (training or transport-related injuries). [sagovjobs.co.za]

### **Step 4 — Employee Provides Follow-Up Medical Reports**

The employee must submit follow-up medical certificates and progress reports to HR.

If booked off beyond initial periods, HR must forward the Progress/Final Medical Report to the Compensation Fund.

### **Step 5 — Compensation Fund Assessment**

The Compensation Fund assesses the claim.

Claims may be lodged up to 3 years after the incident, as per the amended prescription period.

## **Step 6 — Benefit Payments**

KI continues paying the employee (as per Section 3 above) during the booked-off period.

For absences exceeding 3 months, the employee transitions to temporary disability payments from the Compensation Fund.

### **Timesheet Requirements**

All IOD-related absences must be recorded as COIDA / IOD leave in the timesheet and leave system.

#### **Interaction With Other Leave Types**

COIDA leave does not reduce annual leave or sick leave balances.

Employees may not be required to use annual leave or unpaid leave for IOD absences.

If a COIDA claim is rejected, KI may reclassify the absence under sick leave (subject to medical proof).

### **Compassionate leave**

- This may be granted by management where an employee has suffered emotional or physical stress due to occurrences such as crime, violence, abuse, etc;
- This leave will be granted in order to assist in recovery and/or trauma therapy;
- Each case will be individually assessed and decided upon by the HR Manager in consultation with the Programme Director (or duly delegated Programme Manager).

### **Study leave**

This will be granted for one day prior to the examination and the day of the examination, up to a maximum of six days per annum. Application for study leave should be made one month in advance of the examination. Applications are to be supported by an official examination timetable. Study leave is not available for repeat examinations.

### **Cultural Leave**

- All employees will be granted 1 day per annual leave cycle to utilise for religious/cultural reasons.
- In the event more than 1 day's absence is required, the employee extend this period by applying for annual leave or unpaid leave.
- No employee may 'borrow' against future cultural leave.
- Cultural leave not taken during a leave cycle will be forfeited.
- Cultural leave must be applied for at least 2 weeks in advance.
- Only approved cultural leave may be taken.

### **Unpaid leave**

This may be granted with the written approval of the Programme Manager. All unpaid leave will be reconciled against the last salary on completion of contract or at the end of the calendar year that the leave is taken. Unpaid leave may not exceed the equivalent of one month's salary.

**Absence without leave**

Absence without leave due to unplanned strikes or stay aways not related to the organisation is a serious act and will be dealt with on an individual basis. However, failure to inform the employer of unplanned leave will be interpreted as absence without leave. If the employee is absent without leave for three consecutive days, the employer will evoke disciplinary procedures with a view of convening a disciplinary hearing in terms of the procedures outlined in the disciplinary code. Employees who have not submitted requests in line with guidelines per the leave policy will be treated as unpaid.

**Public Holidays**

All employees shall be entitled to all public holidays provided for in the Public Holidays Act.

**Timesheets**

All Leave taken must accurately reflect on completed timesheets. Leave audits are undertaken from time to time. In the event the timesheet shows an absence that is not recorded on the leave system, the leave as allocated on the timesheet will be captured as taken. The employee will be disciplined for not following the leave policy.