



Western Cape
Government

Health

DIRECTORATE: **People Practices and Administration**

REFERENCE: **4/3/2(P)**

ENQUIRIES: **Mr BJ Booth**

PHONE: **(021) 483 4006**

CIRCULAR NO H *96* / 2020

TO: ALL DIVISIONS / CHIEF DIRECTORATES / DIRECTORATES / REGIONS / DISTRICTS / SUB-STRUCTURES / INSTITUTIONS IN THE DEPARTMENT OF HEALTH

UTILIZATION OF 2019 ANNUAL LEAVE BEFORE 30 JUNE 2020

1. The attached Department for Public Service and Administration (DPSA) circular as well as this Department's Circular H 24/2020 dated 10 March 2020 refers.
2. Employees are once again encouraged to utilize their remaining 2019 annual leave credits **before 30 June 2020** as indicated in paragraph 5 of the attached DPSA circular.
3. It should be noted that in terms of paragraph 4 of the DPSA circular, this Department has approached DPSA with a request that the utilization period be extended to 31 December 2020 where operational requirements due to COVID-19 determine that such leave cannot be utilized before 30 June.
4. You are hereby requested to adhere to the DPSA directives and any further options considered by DPSA will be communicated once received from DPSA.

HEAD OF DEPARTMENT
DATE: 27 May 2020

CIRCULAR NO H 24 / 2020

TO: ALL DIVISIONS / CHIEF DIRECTORATES / DIRECTORATES / REGIONS / DISTRICTS / SUB-STRUCTURES / INSTITUTIONS IN THE DEPARTMENT OF HEALTH

MANAGEMENT OF UNUSED ANNUAL LEAVE FROM THE ANNUAL LEAVE CYCLE:

1 JANUARY 2019 - 31 DECEMBER 2019

1. Your attention is invited to Circular H166/2017 dated 4 December 2017 where the management of unused annual leave is addressed (copy attached).
2. In view of the aforementioned you are reminded that annual leave must be properly planned and monitored. **All unused annual leave credits remaining for the 2019 annual leave cycle must be utilised before 30 June 2020.** Any annual leave credits for the said period that remains unused after 30 June 2020 **shall be forfeited.** Instances where annual leave was denied due to operational requirements must be documented and should be rescheduled immediately to **prevent unnecessary payouts of unused annual leave.**
3. It is a concern that high amounts paid out to employees for unused annual leave occurred again during 2019 despite the annual circular in this regard. Chief Directors and Chief Executive Officers are therefore requested to ensure that staff take their leave and **leave be paid out only in highly exceptional circumstances.** The Annexure B in this regard must be signed at least by the Chief Director responsible for the PM matters and submitted to the Acting Director: People Practices and Administration (for attention: Ms A Jooste) before 31 August 2020.
4. Your co-operation to inform all employees under your control accordingly is appreciated.



HEAD OF DEPARTMENT

DATE: 2020-03-10



CIRCULAR NO H166/2017

TO: ALL DIVISIONS / CHIEF DIRECTORATES / DIRECTORATES / REGIONS / DISTRICTS / SUB-STRUCTURE OFFICES / INSTITUTIONS IN THE DEPARTMENT OF HEALTH

THE MANAGEMENT OF ANNUAL LEAVE: 1 JANUARY 2017 – 31 DECEMBER 2017 ANNUAL LEAVE CYCLE

1. INTRODUCTION AND PURPOSE

- 1.1 Annual leave must be properly planned within the annual leave cycle. A concern was raised in 2016 by the Executive Authority with regard to the high amounts paid out to employees for unused annual leave denied due to operational requirements. It was further noted that in certain instances unused annual leave is paid out from consecutive annual leave cycles to the same employees.
- 1.2 The purpose of this circular is to remind managers and supervisors that **annual leave must be properly planned and monitored in order to avoid annual leave being denied and paid out unnecessarily due to operational requirements**. As the new annual leave cycle starts from 1 January 2018, employees are encouraged to utilise their remaining 2017 annual leave credits and properly plan annual leave for the 2018 annual leave cycle.

2. THE DETERMINATION ON LEAVE OF ABSENCE

- 2.1 In terms of the Determination on Leave of Absence issued by DPSA, which was distributed by means of Circular H187/2012 dated 28 December 2012, the following applies in respect of annual leave:
 - 2.1.1 Employees are entitled to annual leave with full pay during each annual leave cycle of 12 months commencing on 1 January each year;
 - 2.1.2 Annual leave should be planned and scheduled at the start of an annual leave cycle; i.e. 1 January each year;
 - 2.1.3 At least 10 consecutive working days must be taken as annual leave during the annual leave cycle;

- 2.1.4 The remaining annual leave days, if any, must be taken no later than **6 months** after the expiry of the relevant annual leave cycle, where after **unused annual leave will be forfeited.**
3. In view of the aforementioned you are reminded that **all unused annual leave credits remaining from the 2017 annual leave cycle must be utilised before 30 June 2018.** Your attention is also drawn to the fact that this provision is applicable to employees appointed on contract as well. Any annual leave credits for the said period that remains unused after 30 June 2018 **shall be forfeited.** Instances where annual leave is denied due to operational requirements must be documented and should be rescheduled immediately to prevent unnecessary payouts of unused annual leave.
4. The responsibility of line managers and HR managers with regard to Leave Management is addressed in the HR CMI that must be completed by the respective Chief Executive Officers / Head of Institutions / Directors on a monthly basis. You are therefore requested to address the management of unused annual leave for the annual leave cycle 1 January 2017 to 31 December 2017 on a monthly basis.
5. Your assistance and co-operation to ensure that the foregoing are implemented and complied with will be appreciated.



HEAD, HEALTH

DATE: 2017-12-4



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

Private Bag X916, PRETORIA, 0001. Tel: (012) 336 1000, Fax: (012) 326 7802
Private Bag X9148, CAPE TOWN, 8000. Tel: (021) 467 5120, Fax: (021) 467 5484

Enquiries : Mr D w/d Westhuizen
Tel No. : 012-336 1295
File : 17/6/R

TO ALL HEADS OF DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS


Circular No 20 of 2020

NATIONAL STATE OF DISASTER:COVID-19: CIRCULAR ON UNUSED ANNUAL LEAVE OF THE 2019 ANNUAL LEAVE CYCLE AND THE END DATE OF ITS GRACE PERIOD

1. In response to the COVID-19 pandemic, the President of the Republic of South Africa has declared a national disaster, and subsequently a nationwide lockdown in terms of the Disaster Management Act, to prevent the escalation of the disaster or to alleviate, contain and minimise the effects of the disaster. The lockdown commenced on 28 March 2020. The easing of the lockdown will take place in a phased approach commencing with Level 4 lockdown with effect from 1 May 2020. There are no fixed timeframes to the introduction of each level. The introduction of the different levels are dependent on progress made with the containment of the spread of COVID-19.
2. Due to the nature of the role and responsibility of the public service, the public service did not shut down. Services continued to be provided to the citizenry taking into account the *Directions issued by the Minister for Public Service and Administration on Service Delivery and Business Continuity for the Public Service during COVID-19* issued in terms of Regulation 10(8) of the Disaster Management Act Regulations. It is therefore common cause that the policies governing, among others, employee benefits such as annual leave continue to be relevant.
3. In terms of paragraphs 5 and 9 of the Determination and Directive on Leave of Absence in the Public Service -
 - 3.1. Employees are entitled to annual leave with full pay of either 22 or 30 working days during each leave cycle of 12 months, commencing on 1 January of each year.
 - 3.2. Annual leave should be planned and scheduled at least at the start of a leave cycle, i.e. January of each year.
 - 3.3. The remaining leave days, if any, must be taken no later than 6 months after the expiry of

the relevant leave cycle, where after unused leave credits shall be forfeited or paid out if the employee's application was declined owing to the employer's operational requirements and could not be rescheduled.

4. The DPSA has been inundated by enquiries from both departments and organised labour on the use and/or management of unused annual leave from the 2019 leave cycle and the end date of the grace period of this cycle, i.e. 30 June 2020 within the context of the lockdown. Departments are advised that the DPSA is currently investigating options relating to the concerns raised. The outcome will be communicated in due course.
5. In the interim, it is impressed upon departments that since the public service is operational despite the declaration of the nationwide disaster and subsequent lockdown, both the employer and employees should comply with the provisions of the Determination and Directive on Leave of Absence in the Public Service.
 - 5.1. Employees who have unused annual leave credits from the 2019 leave cycle to their credit must be advised in writing of these credits. These employees must be encouraged to apply for and utilise their annual leave.
 - 5.2. Whilst consideration of an employee's application for annual leave should take the service delivery requirements of a department into account, it should not be unreasonably refused.
 - 5.3. Departments may only cancel an employee's annual leave based on the employer's service delivery requirements or on the written request of the employee. Neither the employer nor an employee may cancel annual leave because of the declaration of the national lockdown.


Ms Yoliswa Makhasi
Director-General

Date: 19/05/2020