



OFFICE OF THE PREMIER

POLICY ON NORMAL WORKING HOURS

A handwritten signature in black ink, appearing to be 'PDH'.

MS PD KHUMALO
ACTING-DIRECTOR GENERAL

A handwritten date in black ink, '15/11/2016'.

DATE

1. INTRODUCTION

The Office of the Premier is committed to creating a working environment that optimally supports effective and efficient service delivery which is simultaneously sensitive to the circumstances of its employees. Particular attention is paid to the needs of people with disabilities, pregnant women and employees with family responsibilities without discriminating against other employees. However, the needs and requirements of the members of public whom the Office of the Premier serves also need to be taken into account.

The Determination on Working Time must be read and applied in conjunction with the Basic Conditions of Employment Act, 75 of 1997 (BCEA), the current Public Service Regulations, 2016 and prevailing collective agreements on working time.

Public Service Regulations, 2016, authorise the Head of Department to determine the working week and daily hours of work, as well as the opening and closing times of places of work under his control.

2. PURPOSE

The purpose of this policy is to ensure uniformity in the manner in which working time is managed in the Office of the Premier.

3. AUTHORISATION

"This policy is authorized and governed by the following legislation and policy documents:-"

- a. Resolution 1 of 2007
- b. Public Service Act, 1994, as amended.
- c. Public Service Regulations, 2016
- d. Basic Conditions of Employment Act, No. 75 of 1997 as amended.
- e. Determination On Leave of Absence in the Public Service, July 2009
- f. Determination on Working Time in the Public Service , July 2011
- g. Labour Relations Act, 66 of 1995

4. APPLICABILITY

This policy applies to all contract and permanent employees (both male and female) in the Office of the Premier appointed in terms of the Public Service Act, 1994, as amended

5. DEFINITIONS

In this Policy, unless the context otherwise indicates otherwise, the following definitions are set out for the terms indicated:-

"BCEA" means the Basic Conditions of Employment Act, 1998, as amended.

"Executive Authority" (EA) means the Premier of the Province of KwaZulu Natal.

"Director-General (DG)" means the incumbent of the post listed under Heads of Offices of the Premier opposite the designation of Office of the Premier: KwaZulu-Natal, as listed in Column 2 of Schedule 1 and Column 1 of Schedule 1, respectively, of the Public Service Act, 1994".

"employee" means an employee as contemplated in the Public Service Act, 1994, as amended.

"day" means a period of 24 hours measured from the time when the employee normally commences work, and daily has a corresponding meaning.

"week" in relation to employee means the period of seven days within which the working week of the employee ordinarily falls.

"ordinary hours of work" means the hours of work permitted in terms of section 9 or in terms of any agreement in terms of sections 11 or 12 of the Basic Conditions of the Employment Act, No 75 of 1997 as amended.

"Flexitime" means the adjustment of employee's working hours (commencing and ending times) to accommodate both the employee and employer.

6. POLICY PROVISION

- 6.1 All full time employees are expected to be on continuous duty on each working day for a minimum period of eight hours and to work a minimum of forty hours per week during the normal working week which is from Monday to Friday.
- 6.2 Part time employees will work the number of hours per day and week as specified in their employment contract.

- 6.3 The official meal interval may not exceed forty five minutes. An employee who works continuously for more than five hours must be granted a meal interval.
- 6.4 The Director-General or Executive Authority shall determine the work week and daily hours of work for employees; and the opening and closing times of places of work under her or his control, taking into account –
- (a) the needs of the public in the context of (with due regard to) the department's service delivery improvement programme (plan); and
 - (b) the needs and circumstances of employees, including family obligations and transport arrangements.
- 6.5 The starting and finishing determined times for the Office of the Premier are as follows:-

Starting Time	Finishing Time
a) 7:15	16:00
b) 7:30	16:15
c) 7:45	16:30
d) 8:00	16:45

- 6.6 Arrangements regarding the starting and finishing times must be finalised by the way of **written mutual agreement** between the manager/supervisor and the employee reporting to him /her. Such agreements are applicable until they are altered by way of a new agreement. Each responsibility manager/supervisor must keep records of the working hours that have been approved in respect of each individual employee and institute adequate control measures to ensure that employees comply in this regard. The responsibility managers/supervisors must ensure that employees working flexitime commence their working day at 15-minute intervals within the above determined core times and end their working day in the same way. An employee must honour his/her commitment to the agreed hours of work. The individual agreement on working hours form to be utilised for this purpose is attached to this policy as Annexure A.
- 6.7 Should a pattern emerge portraying an employee's failure to manage her/his agreed hours of work punctually and conscientiously, more stringent control measures may be instituted to develop the expected sense of duty. Control measures must be put in place and mechanisms must be instituted to monitor the effectiveness of such control measures. Continuous transgression may lead to disciplinary measures being instituted.

- 6.8 Meal intervals must be taken between **12h45 and 14h00**. Each employee will be required by **written mutual agreement** with her/ his supervisor/manager to determine a suitable time within the specified period. The meal interval must not exceed **45 minutes**. Any additional time taken will be worked in.

7. MONITORING AND EVALUATION

It is the responsibility of the Directorate: Human Resource Support in the Department to develop, amend and implement this policy.

It is the responsibility of the supervisors and managers to monitor the implementation of this Policy.

8. COMMUNICATION

The provisions of this Policy must be presented to all the stakeholders as part of the process of consultation.

9. Commencement of the Policy

This policy commences on the date of signature by the Director-General.



ANNEXURE A
OFFICE OF THE PREMIER

INDIVIDUAL AGREEMENT FORM ON NORMAL WORKING HOURS

PERSONAL DETAILS
Initial and Surname:
Persal Number:
Rank:.....
Branch/Directorate/Sub-Di rectorate:.....

FLEXI TIME

Mark with an X in the box next to preferred time

Starting Time

Finishing Time

7:15			16:00	
7:30			16:15	
7:45			16:30	
8:00			16:45	

Signed
Employee

Date

.....(please print) as.....(please print)
supervisor/manager hereby confirm that the content of this form was discussed with the employee and mutual agreement was reached. I, therefore, accept the responsibility to ensure that control measures are in place to ensure compliance to the Normal Working Hours policy for the Office of the Premier.

Signed
Line manager / Supervisor

Date

The agreed time will come into effect on (year/month/date)