



**DEPARTMENT OF SOCIAL DEVELOPMENT  
KWAZULU NATAL**

**POLICY ON WORKING HOURS AND WORKING  
ARRANGEMENTS**

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## **1. INTRODUCTION**

The policy on working hours and working arrangements is based on the Department's commitment in creating a working environment that optimally supports effective and efficient service delivery. The policy is also sensitive to the circumstances under which the employees operate. However, the needs and requirements of the members of the public, whom the Department serves, remain paramount. It must be taken into consideration that the department as the employer has the prerogative of determining the working hours.

The policy provides for all possible scenarios and gives direction to measures to be undertaken under each circumstance.

## **2. PURPOSE**

The purpose of the policy on working hours and working arrangements is to provide guidelines and measures for the effective management of hours of work and other arrangements.

## **3. OBJECTIVES**

The objectives of this policy are:

- 3.1 To ensure that employees observe the hours of work for optimal service delivery; and
- 3.2 To ensure that working arrangements take into account both the operational requirements of the department and the employees personal circumstances by way of mutual agreement.

## **4. SCOPE OF APPLICABILITY**

This policy applies to all employees in the Department of Social Development.

## **5. LEGISLATIVE FRAMEWORK**

- 5.1 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), as amended;
- 5.2 Public Service Regulations, 2001 (Government notice No. R1 of 2001), as amended;
- 5.3 Health and Safety Act, 1993(Act No. 85 of 1993), as amended; and
- 5.4 Labour Relations Act, 1995 (Act No.3 of 1995), as amended.

## 6. DEFINITIONS, ABBREVIATION AND ACRONYMS

For the purpose of this policy:

- 6.1 **“Employee”** means any person, excluding an independent contractor, who works for another person or for the state and who receives, or is entitled to receive, any remuneration; and any other person in any manner assisting in carrying on or conducting the business of an employer, and “employee” and “employed” have meanings corresponding to that of “employee”;
- 6.2 **“Employer”** means the Department of Social Development;
- 6.3 **“Intervals”** means break or some time off;
- 6.4 **“Shift”** is a period of work that is performed outside the normal spread of hours, particularly when the institution operates on a 24 hour basis;
- 6.5 **“Working day”** means those days of a week in which work is done; or the number of hours one must work for a specified wage; and
- 6.6 **“Working Hours”** means hours used while on duty.

## 7. POLICY PRINCIPLES

- 7.1 The Head of Department shall determine:

The opening and closing times of places of work under his /her control, taking into account the following:

- (a) the needs of the public in the context of the department's service delivery; and
- (b) the needs and circumstances of employees, including family obligations and transport arrangements.

- 7.2 Employees are expected to be on continuous duty at their place of work for the predetermined number of hours of work on each working day;
- 7.3 Ordinary hours of work should not exceed 40 hours in a week and shall not be more than 45 hours in any week for Shift workers;
- 7.4 The Head of Department shall consider all deviations from the predetermined working hours with due regard to service delivery (operational) requirements. Arrangements in accordance with the time of commencement must be finalised in writing by way of a mutual agreement between an employee and the Head of the Department or his/her delegatee. Such agreements are applicable until such time as they are formally amended by way of a new agreement;

- 7.5 An official meal interval of at least 30 minutes must be set no later than five hours after the working day had commenced; and
- 7.6 It is the responsibility of every manager /supervisor to ensure that all employees strictly observe the hours of work.

## **8. EMERGENCY WORK**

The Head of Department may require an employee to perform work outside normal working hours if the work must be performed without delay owing to circumstances that are beyond the control.

## **9. WORKING ENVIRONMENT**

The Head of Department must establish and maintain a safe and healthy work environment for all employees of the Department, in particular the lighting, heating, health, safety and physical comfort of employees.

- 9.1 Managers of Facilities where employees are engaged in night work should ensure that:
  - 9.1.1 there is adequate security for employees at the workplace;
  - 9.1.2 employees are able to obtain safe, affordable transportation between their places of residence and their workplace;
  - 9.1.3 there are adequate eating facilities; and
  - 9.1.4 there are adequate rest rooms and change rooms.

## **10. ARRANGEMENTS AND DESIGN OF SHIFT ROSTERS**

- 10.1 Arrangement of shifts must be considered to accommodate the special needs of employees such as pregnant and breast feeding employees, older employees, people with disabilities, employees with health problems;
  - (a) The changeover from one shift to another during the working day should, where appropriate, include a brief period of overlap of the two shifts in order to pass on any information that is needed by the subsequent shifts;
  - (b) The shift schedule must be displayed or distributed for easy access by all employees, and should be presented in an understandable form; and
  - (c) Employees must receive reasonable notice in advance of scheduled hours of work and of any foreseeable changes to the schedule.
- 10.2 The frequency of night work, weekend work and work on public holidays must be limited as much as possible for each employee;

- 10.3 A shift must not exceed 12 hours. Where long night shifts are used they must be carefully reviewed to find ways to avoid excessive fatigue. Successive long night shift must be avoided to the extent practicable; and
- 10.3 Rest period for shift employees must be scheduled to fall on weekends for a certain minimum number of times during a given period.

## **11. CONTROL MEASURES**

- 11.1 An employee shall honour agreed hours of work punctually;
- 11.2 No employee may be absent during normal working hours without prior approval from his or her Supervisor;
- 11.3 The Department shall keep records of the working hours that had been approved in respect of each individual employee. Control measures must not be complicated, yet effective. Where access control systems are utilised, adequate allowance must be made for employee to move within the building. Mechanism may be instituted to monitor the effectiveness of such control measures;
- 11.4 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. Continuous transgression may lead to disciplinary measures being instituted; and
- 11.5 Other arrangements may be considered as per mutual agreement between the individual employee and his/her manager. Such arrangements may only be instituted once prior approval from the Head of the Department had been granted to support other applications. Individual merit will be the only criteria, measured against operational requirements and fair conduct.

## **12. MONITORING, EVALUATION AND REVIEW**

- 12.1 The Human Resource Management Component is responsible for communicating the provisions of this policy to all employees;
- 12.2 All offices are responsible for the implementation thereof; and
- 12.3 The policy will be monitored, evaluated and reviewed on regular basis to ensure that it achieves the intended purpose.

## **13. EFFECTIVE DATE**

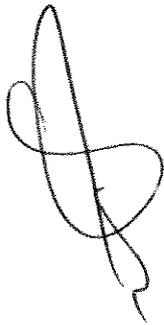
This policy is to be effective on the date of approval.

**14. TITLE OF THE POLICY**

This policy shall be called Policy on Working Hours and Working Arrangements.

**15. POLICY APPROVAL**

This policy supersedes all other policies on Working Hours and Working Arrangements promulgated before. This policy is approved with effect from the 10th day of November in the year 2009 and will be effective on the date of approval.



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**MR B L NKOSI**  
**HEAD OF DEPARTMENT: SOCIAL DEVELOPMENT**