



education

Department:
Education
PROVINCE OF KWAZULU-NATAL

Enquiries: Ms NV Hlongwane

Reference: 4/2/P

**TO: DEPUTY DIRECTORS-GENERAL
CHIEF DIRECTORS
DIRECTORS AT HEAD OFFICE
DISTRICT DIRECTORS
HEADS OF SECTION/COMPONENTS OF DISTRICT OFFICES & HEAD OFFICE
CES: CIRCUIT MANAGEMENT AND CIRCUIT MANAGERS**

HRM CIRCULAR NO. 30 OF 2018

LEAVE PAYOUT

1. In terms of the leave measures, provisions exist for the payment of unused annual leave and, where applicable, capped leave. The relevant measures in this regard are summarized hereunder:

1.1 Annual Leave Payout

- i) The cash value in respect of unused leave credits is payable upon termination of service through resignation, contract expiry, early retirement, compulsory retirement or death.
- ii) The payment in respect of unused leave credits is limited to the maximum of the leave entitlement i.e. 22 days for employees with less than 10 years' service or 30 days for employees with 10 or more years of service.
- iii) The payment is in respect of unused leave credits for the previous annual leave cycle and which cannot be forfeited by 30 June of the following year as well as pro rata entitlement for the current leave cycle. However, such payment will be limited to the maximum of 22 and 30 days, whichever is applicable.
- iv) The relevant leave measures also require employees to utilize at least 10 days of their annual leave entitlement within the annual leave cycle. This requirement will be taken into consideration in calculating the unused leave credits in respect of the current and/or previous annual leave cycle. As such, employees who fail to utilize at least 10 days leave within the leave cycle will not receive any payment for such unused leave days.

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Example: Employee resigns/retires on 31 May 2018 with leave entitlement of 30 days. The employee utilized 2 days in respect of the previous leave cycle and none in the current leave cycle.

Calculation of unused leave days for payment:

Previous leave cycle:

Leave entitlement	:	30 days
Less leave utilized	:	2 days
		28 days

Less leave Requirement: at least 10 days – 2 utilised : 8 days

Unused leave days : 20 days

Current Leave cycle:

Pro rata entitlement (5 months x 2,5)	:	12 days
Less leave utilized	:	NIL
Unused leave days		12 days

Unused leave days as at 31 May 2018 : 32 days

Leave payment (limited to a maximum of 30 days) : **30 days**

- v. Payment is calculated in accordance with a prescribed formula using the remuneration as at the date of termination of service.

1.2 Capped Leave Payout

- i) All employees (educators and public service personnel) retain the unused audited leave credits accrued prior to 1 July 2000.
- ii) During the period 1 July 2000 to 31 December 2000 and 1 January 2001 to 31 December 2001 all institution based educators accrued 5 and 10 working days leave respectively or a pro rata number of such days. Any of these that remained unused are to be added to the number of leave days accrued prior to 1 July 2000.

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- iii) Whilst the unused leave credits referred to in paragraphs (i) and (ii) above have been audited and capped, there are employees who have utilized some of the audited and capped leave, As such the capped leave will be subject to re-audit before any payment is effected.
 - iv) The leave payouts in respect of the capped leave will be made in the event of:
 - Death;
 - Retirement, including early retirement; and
 - Medical Boarding.
 - (v) It must be emphasized that no capped leave payout will be effected in the event of resignation
 - (vi) Payment is calculated in accordance with a prescribed formula using the remuneration as at the date of termination of service.
2. The effective management of leave is being monitored by various oversight committees and, as such, the need to ensure strict compliance with the directives contained herein cannot be over-emphasised.
 3. Kindly ensure that the contents of this circular are brought to the attention of all employees responsible for the calculation of leave payouts.


DR. E.V. NZAMA
HEAD OF DEPARTMENT

DATE: 04/07/2018

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