



The purpose of this document is to provide a common understanding between the employer and employee on how different types of leave will be regulated.

## Leave Policy – HQ and Service Departments

Version 2.0

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## 1. Purpose and Scope

The purpose of this document is to outline different types of leave which an employee is entitled to as required by the Basic Conditions of Employment Act [No. 75 of 1997] (hereafter referred to as the BCEA) as well as the process and implementation of additional types of leave as an additional benefit to the employee.

This policy is applicable to all employees at Pretoria and Lydenburg Head Quarters, including the offices at 331 Danie Theron Street in Pretoria North. The additional leave allocation is based on the service department in which the employee works, the type and nature of the work and the agreed working hours.

This policy serves to replace all previous memo's regarding leave.

## 2. Entitlement to Leave and Minimum Leave Requirements as per Regulatory Requirements

### 2.1 Leave Requirements according to the Basic Conditions of Employment Act [No. 75 of 1997].

All minimum requirements for different types of leave as set out in the Basic Conditions of Employment Act [No. 75 of 1997] will continue as currently implemented.

The Contract of Employment and BCEA provides guidance on the minimum leave allowance for the different types of leave, including:

- Annual Leave
- Sick Leave
- Family Responsibility Leave
- Maternity Leave
- Parental Leave
- Adoptive Leave
- Commissioning Parental Leave

Details regarding these types of leave and accommodation can be reviewed in your employment contract as well as the BCEA.

### 2.2 Leave Requirements as per the Bargaining Council Main Collective Agreement for the Private Security Sector

The main collective agreement applies to all our employees in the private security sector and regulates the minimum requirements for different types of leave.

Therefore, the BCEA conditions and additional leave as set out in this policy is not applicable to Barko employees in the private security sector that are based in the Pretoria North offices.

## 3. Barko Leave Policy

Going forward, Barko will implement additional leave as a benefit to specified jobs and departments. This includes additional annual leave in line with the standard working hours options as well as non-smoker leave.



In addition to the minimum requirements set out by the BCEA, the following types of leave shall be implemented by this policy.

### 3.1 Annual Leave Options

Three leave options have been introduced to all employees working at Head Quarters and will be effective as of **1 July 2023**. With this benefit Barko wishes to reward and thank employees for their hard work and extra effort to build Barko into the company it is today.

Leave Option	Total Hours Work Per Week	Total Hours Per Month	Current Leave Days			New Leave Days		
		Saturdays (5 hours)	BCEA Leave	Extra Leave	Total Current Leave	BCEA Leave	Extra Leave	Total New Leave
A Flexible	40	NA	15	0	15	15	0	15
B Flexible	42.5	NA	15	0	15	15	3	18
C Flexible	45	NA / 5	15	0	15	15	7	22
D Flexible	42.5	10	18	0	18	18	9	27

*For specified service departments and operations, pre-determined shifts and Saturday work are an inherent requirement to the job and choosing an option will not be applicable.*

#### 3.1.1 Implementation

##### Choosing a Leave Option

Employees will be provided with an opportunity to choose a leave option (A, B, C or D Flexible) in July 2023 to take affect 1 July 2023. The leave option is based on the total work hours an employee agrees to work per week.

##### Logging Time and Attendance

As from **5 July 2023**, all employees are required to log all hours worked on the approved *Time and Attendance Software* daily. The purpose is to track working hours as per the requirements of the BCEA as well as additional time worked.

##### Responsibility of Managers

Direct line managers should obtain in principle approval for the option an employee wishes to choose based on the hours the employee wishes to work (Option A to D). For specified service departments, pre-determined shifts and Saturday work are an inherent requirement to the job and choosing an option will not be applicable.

Leave options per employee will be set up initially and a yearly review of all hours will be done in December. If the average hours worked do not amount to the average hours required per week by the leave option chosen, the leave allocation will be adjusted, and another leave option implemented without prior notice and consultation. It is the responsibility of employees to maintain the integrity of working the hours required by the leave option chosen.

Direct line Managers must ensure that employees log their working hours daily to ensure that attendance registers are completed according to the BCEA regulations. Managers should review and approve working hours on the online Time and Attendance software at the end of each month. The logging of hours will be dependent on the integrity of the employees, if hours are logged incorrectly or without working, the leave options benefit will be taken away.



Barko encourages all employees not to work overtime regularly as this impacts work-life balance and mental health. However, the capturing of worktime hours will ensure we understand resource capacity and constraints in departments for future planning.

#### Accumulation of Leave

As from 1 July 2023, the monthly accrual of leave will be increased as per the leave option chosen, resulting in additional leave days on annual leave cycle (12 months).

For example, if 15 days annual leave can be accrued in an annual leave cycle (12 months)– 1.25 days are accrued per month.

If 18 days annual leave can be accrued in a leave cycle – 1.5 days are accrued per month.

### 3.2 Non-smoker Leave

Barko is implementing a “non-smoker leave policy” for individuals who do not smoke (including e-cigarettes, vaping, cigarettes) during working hours. This “non-smoker leave policy” is only applicable to HQ and service departments.

All non-smokers will receive an additional half day leave every month that can accrue up to a maximum of 6 days in an annual leave cycle (12 months). No non-smoker leave will be carried forward into a new leave cycle. Such a half day shall commence at 12:00 on the specific day and the department-heads will be responsible for managing and regulating the non-smoker leave.

The half days is an additional benefit to the qualifying employees and will therefore be granted to such employees at the discretion of the company considering the operational needs of the company. The qualifying employee should therefore apply for such half day from his/her department head and once approved, the half day should be submitted on ESS as per the leave application process.

### 3.3 Study Leave

The BCEA does not recognise study leave and an employer is therefore not obligated to provide study leave to employees. The approval of study leave applications shall therefore be in the sole discretion of the employer and will only be considered if it will benefit the company.

As from January 2024, employees can apply for a study leave benefit of maximum 4 paid study leave days for examinations in an annual leave cycle. The purpose of study leave is to provide employees with adequate opportunity to prepare for examinations in their field of study.

#### 3.3.1 Applying for Study Leave

Employees do not automatically qualify for the 4-day study leave benefit and would need to apply annually in December with a written request at the Human Resources Department for the duration of their studies.

Employees who apply for the Study Leave benefit mid-year will follow the same application process and study leave will be allocated on a pro-rata basis. For example, if the application is received and approved in June, only 2 days will be allocated for the remainder of the year.



### 3.3.2 Approval

Direct managers will be responsible for approving the application for study leave annually by reviewing and applying the criteria in 3.5.5. The Human Resources department will provide final approval and implement the days once-off in Sage ESS if approved.

### 3.3.3 Submission of Study Leave

Refer to 4.1 Submitting and Applying for Leave. The submission of Study Leave will follow the same procedure as all other leave on ESS.

### 3.3.4 Study Leave Expiration

The maximum 4 days paid study leave is valid from January to December. Any days not taken will expire in December of that year.

### 3.3.5 Study Leave Criteria

The following criteria will be applied when reviewing and approving the study leave benefit for each employee:

- a. Proof of further studies at accredited institution.
- b. The course must have relevance to the current work being done by the employee to be considered for paid study leave (for example, IT certificate if working in the IT department).
- c. Direct Line Manager approval for further studies as part of professional development plan.
- d. Any prior arrangement and terms of the employee's contract of employment.
- e. The employee's current workload.
- f. The employee's work ethic.

According to the BCEA, employees are not entitled to study leave and this benefit can be withdrawn at any time should performance and communication standards not be met.

## 3.4 Unpaid Leave

The BCEA makes no provision for unpaid leave. It is not the right of the employee to demand unpaid leave and it will solely be at the discretion of the employer determined on the circumstances and purpose of such leave requested and only if all other leave has been exhausted.

The employer is entitled, but not obliged, by the BCEA to only grant unpaid leave when an employee's:

- 3.4.1 Sick leave has been exhausted.
- 3.4.2 Annual leave has been exhausted.

## 3.5 Maternity leave

The BCEA makes provision for 4 months of unpaid maternity leave. During that time, the employee may apply for maternity benefits from the Unemployment Insurance Fund (UIF).

Employment may be resumed six (6) weeks after the date of birth on the condition of a medical certificate submitted indicating the employee is fit to work. Alternatively, the employee may use the remaining three (3) months of maternity leave.



The maternity leave benefit will be paid under the Unemployment Insurance Act 10 of 2018, subject to certain rules and conditions at a rate of 66% of the earning of the employee at the date of application, subject to the maximum threshold.

#### 3.5.1 Informing Management

Employees are requested to inform their direct manager of the pregnancy no later than 5 months into the pregnancy to ensure operational requirements and arrangements can be made for the person that will be standing in and taking over responsibilities.

#### 3.5.2 Applying for Maternity Leave

Complete the Application for leave form (maternity leave cannot be booked on ESS) and send the form to [hr@barko.co.za](mailto:hr@barko.co.za) & [mpho@barko.co.za](mailto:mpho@barko.co.za)

*NB: The start and end date of unpaid maternity leave must be completed correctly as the UIF payment will be calculated according to the dates completed on this form.*

Once received, the employees' UIF documents (UI19 / UI2.7 / Salary schedule & letter confirming your unpaid maternity leave) will be issued to the employee.

## 4. Terms and Conditions

### 4.1 Submitting and Applying for Leave

#### 4.1.1 Submission

Leave requests should be discussed and informally approved by the direct line manager before submission. All annual leave applications should be submitted to Barko's Electronic Leave Application System (ESS). Applications for leave should be discussed with the department head and applied for at least one month (30 consecutive days) in advance. This will enable the department heads to better plan and allocate resources, while also ensuring that the needs of both employees and the company are met.

#### 4.1.2 Approval

Barko is in the Service Industry where Branches/Clients/public depends on Barko and therefore, all decisions are based around ensuring that every staff member and every client in South Africa is still served to the best.

Normal business hours for the branches to serve clients are from 7:30 -17:00. During busy times extended hours apply. All must be ready to serve staff and clients during these hours.

The approval of leave is at the discretion of the department head and dependent on operational requirements. A whole department may not be on leave at the same time. We need to have a contact person in a department that is available to handle enquiries and to give feedback as quickly as possible.

Managers can only approve leave if a 'Giving Over of Responsibilities' form was completed to ensure that whilst the employee is on leave, the relevant department, branch or service provider is still able to serve the staff and clients of Barko.





## 4.2 Taking Leave and Giving Over of Responsibilities

No person can take leave unless clear responsibilities have been given over, signed for and agreed upon, thus ensuring that when the person takes leave, work responsibilities continue as normal ensuring all branches and clients are served best, by the person that took over all responsibilities. A *Going on Leave form* to be filled in should any responsibilities be carried over responsibilities. This should be filed in your personal file and give a copy to the other party.

An Auto-Response mail needs to be set up on Microsoft Outlook (only if the employee has a Barko Microsoft Outlook email address - this does not apply to branches) informing all that the employee is on leave. The employee must inform all in this auto-response about the following:

- The name and surname of the person responsibilities was given over to that they must contact,
- The cell number of the person responsibility for the duties while on leave.
- The email address of the person responsibility for the duties while on leave.

Managers or employees that take over responsibilities that are given to them, must take full control of all responsibilities signed for and must be available all the time on their cell phone. This person needs to ensure that the branches and clients is still served in the best way possible.

## 4.3 Limit on Accumulation

Accumulated leave is capped on 40 days. Once an employee's annual leave balance reaches 40 days, they will not be able to accumulate any further leave.

## 5. Annual Leave and Termination of Employment

As per Section 20 (5) (b) of the BCEA, the employer may not require or permit an employee to take annual leave during any period of notice of termination of employment. The employee is prohibited from taking leave during their notice period.

In the event of an employee not being willing to work the notice period for the employer, the employer may deduct the notice period from the employees' final statutory monies (salaries, leave pay, notice pay, severance pay).

## 6. Encouraging Employees to Take Annual Leave and Resolving Issues with Annual Leave

Barko believes that taking leave is an important part of maintaining a healthy work-life balance. As such, we strongly encourage all employees to take advantage of their entitled leave and take time off, within the rules stated in this policy, as needed for their wellbeing.

We also recognise that there may be situations where an employee's manager denies a leave request for reasons which an employee might believe are not reasonable or in the best interest of the employee. In such cases, we encourage employees to speak to their manager to understand the reasoning behind the decision and to work towards a mutually agreeable solution. If an employee thereafter still feels that their leave has been unreasonably denied,





they are encouraged to send the matter to the Human Resources department for further review and resolution. We are committed to ensuring that all employees can take their entitled leave and maintain a healthy work-life balance.

## 7. Consequences of Not Adhering to the Policy

This is a formal company policy on leave in the workplace, and all employees are expected to always comply with this policy. Failure to do so may result in disciplinary action, up to and including termination of employment. The company reserves the right to investigate any alleged violations of company policies and take appropriate action in response. Such action may include, but is not limited to, counselling, reprimand, suspension, and termination of employment. The company will ensure that all disciplinary action taken is fair, consistent, and in accordance with applicable laws and regulations.

## 8. Review and Amendment

- The company will review this policy on a regular basis to ensure that it remains effective and relevant.
- Any necessary updates to the policy will be made in consultation with senior management and communicated to all employees in a timely manner.
- Employees are responsible for reviewing and understanding any updates to the policy and complying with the revised guidelines.
- Failure to comply with updated policies may result in disciplinary action.
- Any questions or concerns regarding the policy or its updates should be directed to the HR department at [hr@barko.co.za](mailto:hr@barko.co.za).

## 9. Acknowledgement and Agreement

By accepting employment with Barko, employees acknowledge that they read and understood this policy and agree to comply with its guidelines.

If you have any questions pertaining to this policy, kindly contact [hr@barko.co.za](mailto:hr@barko.co.za).