



the dr&pw

Department:
Roads and Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

DEPARTMENTAL POLICY ON STANDBY ALLOWANCE

Version 2
(Reviewed in March 2015)

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1. DEFINITIONS

"Executing Authority"	Refers to the Member of the Executive Council (MEC) responsible for the Department.
"HOD"	Head of Department.
"Department (DR&PW)"	Department of Roads and Public Works.
"Head of the Directorate"	Means the Senior Manager responsible for a Program.
"Emergency"	A situation that may hold a serious threat for the assets of the Department or the life of a human being and or particular situation dictating standby duty to be performed.
"Supervisor"	Means Head of component/office/regional office
"Standby allowance"	Is payment received by an employee in lieu of services rendered as a result of having been on a standby duty.
"Standby period"	A period of seven days during which particular employees are scheduled and operating as standby personnel.
"Manager"	Includes the categories of Senior Manager, Deputy Manager and Assistant Manager.

2. INTRODUCTION

The purpose of this policy is to clarify the Department of Roads and Public Works position where employees are required to be on standby outside normal working hours. As a general rule of thumb, Middle Management and Senior Management Service officials are not normally to be treated as being on standby unless there is an identified probable need to work on a day that they would normally have off.

It is therefore important at this juncture to draw a distinction between overtime and standby duty. Overtime and standby duty allowance are totally different measures and thus utilised for different purposes.

If an employee does deliver **actual service** after hours or during weekends, he/she is entitled to receive overtime remuneration. If an employee is on standby but his services are not required during the approved period for standby allowance, he/she will nevertheless receive standby allowance. An employee can receive both overtime and standby allowance during the same period.

3. BACKGROUND

As the Collective Agreement and Public Service Regulation do not provide guidelines for standby allowance the Department is authorized to provide its own policy guideline regarding this matter. The head of directorate should authorize the standby allowance where there is a need for standby.

In terms of the PSCBC; Terms and Conditions of Service in the Public Service (Resolution 3 of 1999), if the employer requires an employee to be available for the performance of duty outside of her/his normal working hours, the employer shall pay a standby allowance.

The employer shall pay the allowance if an employee's supervisor requires an employee to be available for duty at a place other than the employee's normal place of work.

The standby allowance shall not affect or be affected by a payment for overtime due to the employee.

4. REGULATORY FRAMEWORK

- A. The Constitution of the Republic of South Africa (Act No. 108 of 1996), section 215 and 217,
 - B. The Public Finance Management Act no.1 of 1999 (as amended by Act no 29 of 1999):
 - o Section 38 dealing with general responsibilities of accounting officers and specifically subsection 38 (1)(a)(i), 38(1)(b),38(1)(d),38(1)(h) and
 - o Section 45 dealing with the responsibilities of other officials.
 - C. PSCBC Resolution No. 3 of 1999
 - D. Occupational Health and Safety Act
 - E. Basic Condition of Employment Act 75 of 1997
 - F. Labour Relations Act 66 of 1995
 - G. Public Service Regulation, 2001
 - H. Financial Manual
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5. OBJECTIVE

This policy is formulated to provide guidance on matters pertaining to:-

- 5.1** Establishment of a procedure for compensating standby personnel, to encourage their accountability and reliability.
- 5.2** Addressing issues relating to the regulation of standby allowance and ensuring that employees who qualify for standby allowance do receive it.
- 5.3** The necessity of regulating standby duty for certain categories of employees who occupy critical positions who from time to time are required to avail themselves to provide a service outside of the normal working hours. In such instances, specific regulations and guidelines apply
- 5.4** Supplement the Conditions of Service by providing additional guidelines for the administration and management of standby allowance.

6. PRINCIPLES, VALUES AND PHILOSOPHY

The standby allowance shall be implemented in a responsible and cost effective manner at all times.

Employees shall be on standby only when it is necessary and in the interest of the Department.

Employees who are on standby should be rotated evenly and equitably on a regular basis and not be the same person every time.

Employees who are on standby duty should also be treated with fairness at all times so as to encourage and motivate them to do the required job with honesty and integrity.

7. SCOPE AND APPLICABILITY

This policy applies to all employees of the Department Roads and Public Works, who may occupy such critical positions to warrant the demand for stand by duty; i.e.:-

- i. Roads foremen; and
 - ii. Roads employees;
 - iii. Any other category of staff, as per need.
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8. PROCEDURES

Where standby arrangements are regarded as an inherent job requirement, the following arrangements shall apply due to the inconvenience thereof:-

- *Proper prior, timely notice of standby arrangements, time, scope, schedule, etc; must be provided to the employee.*
- *A standby allowance fee in line with the DPSA Financial Manual, which is annually reviewed, determinations (E1/2/1) and Basic Conditions of Employment will be paid to employees on standby duty.*
- *In the event of further call-outs, the employee may claim travelling costs plus overtime on the condition that it is endorsed by the designated authority.*

STANDBY DUTY

1.1. Requirements to be on Standby Duty

- Only particular officials responsible for the specific functional duties will be eligible for standby duty. For example, Roads Workers , Foreman, etc.
- Management will have the discretion of also requiring those, i.e. provincial inspectors, roads foremen and roads employees, who may occupy such critical positions to warrant the demand for stand by duty, to be on stand by under special circumstances e.g. floods, special projects, emergencies.
- To be on standby duty, an employee shall so be instructed in writing or his/her name should appear on a standby roster.
- Standby duty will commence on a specific date and time and will terminate on a specific date and time. The cycle will be for 24 hours (the tariffs paid per 24 hours) and not more than 14 days continuously to ensure effective management of the process.

1.2. Standby Duty Register

- A register or record of standby duty must be kept and an official not registered for standby duty will not be eligible for standby allowances.
- The register for standby duty must be submitted to the Program Manager on a quarterly basis as the need arises.

1.3. Standby Allowance

- A standby allowance is designed to compensate employees' curtailment of freedom of movement and not as a source of additional income.
- In order to qualify for standby allowance there must be a particular function to be performed as well as a risk, (essential service/emergency situations)
- Standby allowances must be recommended by supervisors and approved by Program Managers.
- Standby allowances must be limited to the utmost and strictly controlled.

1.4. Disciplinary Action

- While on standby, an employee must comply with all prescripts of the Occupational Health and Safety Act and the Public Service Code of Good Conduct, failure to do so may result in a disciplinary action taken against the offending employee.
- If an employee on standby duty is called to perform a function and he/she cannot comply, he/she may be guilty of misconduct and will be dealt with in terms of the disciplinary process.

9. ROLES AND RESPONSIBILITIES

ACCOUNTING OFFICER / HEAD OF DEPARTMENT

The accounting officer of Department Roads and Public Works or his delegated authority has a responsibility ensure that a provision in the conditions of service has been made for standby duties; such that adequate number of employees will be available for the standby duties and that sufficient budget exist within the department to provide the required service.

MANAGERS

- It is the responsibility of managers to seek prior written approval for those times when standby may be necessary and for identifying the employees who are to be treated as being on standby.
 - Managers will ensure that they actively manage the work load of staff so there is a minimum requirement for any staff to be on standby.
 - The Manager is the only person who can authorise an individual being treated as being on standby.
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SUPERVISORS

Supervisors must ensure that:

- Standby duty is minimized;
- There is adequate control over the payment of standby allowance;
- Record is kept of all standby duties;
- Standby allowance is cost-effective;
- Funds are available to finance this expenditure;
- Standby duty must be performed, while at the employees' private residences, except for extra-ordinary circumstances;
- Employees do not perform standby duty while on leave unless they agreed to be on standby;
- Standby duty will commence on a specific date and time and will terminate on a specific date and time;
- The cycle for standby duty will be for 24 hours and will not exceed 14 continuous days, with the understanding that an employee on standby will be afforded at least 2 weekends off during any month; and
- Employees are not to be utilized for standby duty to such an extent that the quantity and quality of work performed during normal hours of attendance as well as during periods of overtime duty are adversely affected.

EMPLOYEES

The employees' responsibility is to avail their service and time when called upon to be on standby duty, although supervisors and employees should make the relevant arrangements when employees are expected to be on standby. No employee should be forced to be on standby.

10. FINANCIAL RESOURCE IMPLICATION

The Programme / Responsible Managers of the Department shall submit budgetary requests to be approved by the Accounting Officer, on the recommendation of the Chief Financial Officer, to ensure that all expenses relating to standby allowance are budgeted for through the medium term expenditure framework.

11. MONITORING AND EVALUATION

11.1. Head of Department

The Head of Department has an oversight on the planning, development and implementation of policies with DR&PW, some of which have been delegated to units such as HR, Policy and Internal control and are responsible for ensuring amongst others the following:-

- (i) Efficient and effective implementation of the policy
- (ii) The accessibility of the policy to the intended beneficiaries
- (iii) The possible abuse of the policy
- (iv) Furnish the required monitoring reports, periodically.
- (v) Develop necessary tools and processes to assess the outcome of the policy implications by all the stakeholders

11.2. Penalties for Non-Compliance

- Any failure to comply with the Policy will be viewed as a serious disciplinary transgression and could lead to disciplinary action taken against the offending employee in terms of the Public Service Regulations and Code of Conduct.
- Any employee that contravenes the provisions of this policy shall be charged with misconduct and or fraud and will be held liable for any damages suffered by the state as a result of non-compliance.
- Any wrongdoing will be investigated and where after appropriate steps will be taken.

12. POLICY REVIEW

This policy shall be assessed in two (2) years from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time as necessary to reflect substantial organizational or other changes at the Department, or any change required by law.

Deviations from this policy must be approved by the Head of Department.

13. APPROVALS AND RECOMMENDATIONS

This policy is Approved / Not Approved

Comments:

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HEAD OF DEPARTMENT


DATE