



**CONDITIONS OF SERVICE FOR EMPLOYEES OF THE
UNIVERSITY OF JOHANNESBURG**

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Custodian	Executive Director: Human Resources
Responsible Division	Human Resources
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Approved by	Council (Employment Conditions Committee of Council)
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Amendments	C1 (1) Accumulated Leave B7 Tuition Fees D41 Relocation Expenses Policy C8 Compassionate leave (family responsibility leave) - Paternity Leave C6 Maternity Leave and C9 Paternal Leave C1 Vacation Leave – Statutory Leave
Dates of amendments	23 November 2012 17 March 2016 19 April 2016 14 June 2018 21 March 2021
Review date	2023

Related documents

UJ documents (e.g. Policies, Regulations, Guidelines, Contracts)	Other
	<ul style="list-style-type: none"> • Constitution of South Africa Act 108 of 1996 • Basic Conditions of Employment Act (BCEA), Act 75 of 1997. • Labour Relations Act (LRA); Act 66 of 1997 as amended • Employment Equity Act (EEA), Act 55 of 1998.
Stakeholders affected by this document (units and divisions who should be familiar with it):	<ul style="list-style-type: none"> • All staff • Unions
Website address of this document:	Intranet

C LEAVE

- C1 Vacation Leave
- C2 Sabbatical Leave
- C3 Special Leave
- C4 Sick Leave
- C5 Treatment (Rehabilitation) Leave
- C6 Maternity Leave
- C7 Leave without Pay
- C8 Compassionate Leave (Family Responsibility Leave)
- C9 Paternal Leave
- C10 Commissioning Paternal Leave
- C11 Adoption Leave
- C12 Leave: Study/Examination
- C13 Testimony Leave
- C14 Leave Gratuity
- C15 Leave Payment
- C16 Leave Calculations
- C17 Payment of Leave: Temporary Staff/Student Assistants upon resignations

C6 Maternity leave

(As updated after the 2006 substantive negotiations)

1. All female employees may apply for a maximum of four (4) months of maternity leave per birth.
2. Applications for maternity leave must be made in writing at least two (2) months before the anticipated date of confinement and must be supported by a statement from a medical practitioner.
3. The entire four (4) months are regarded as leave with full pay, subject to no other leave (paid or unpaid) being added by the employee to the period of maternity leave. Any possible exceptions to this shall be dealt with on a case-by-case basis.
4. Employees with less than one year of service are granted four months of maternity leave without pay.
5. Maternity leave is also subject to the following provisions:
 - a) Employees may take maternity leave at any time from four (4) weeks before the birth, or as otherwise agreed, or on such earlier date as might be recommended by a registered medical practitioner.
 - b) Employees may not return to work before the completion of six (6) weeks after the birth, unless a medical practitioner or midwife certifies that they are fit to return to work.
 - c) If the birth occurs later than the expected date and the four (4) months of maternity leave are exceeded in the process, additional leave is regarded as unpaid leave.
 - d) In the case of still birth or termination of pregnancy, maternity leave will only apply up to the event, and any leave after that will be regarded as sick leave.
 - e) In the case of a miscarriage, employees must return to work earlier, subject to a medical report that recommends a specific return date.
 - f) In the case of adoption of an infant (up to the age of three (3) months), a maximum of four months of maternity leave per adoption will apply, subject to no other leave (paid or unpaid) being added by the employee to the period of maternity leave. Any possible exceptions to this shall be dealt with on a case-by-case basis.
 - g) Female employees who are appointed part-time and work at least 24 hours per month for a period of up to one year may apply for a maximum of four (4) months of unpaid maternity leave.

C8 Compassionate leave (family responsibility leave)

(As amended after the Collective Agreement on 2007 changes to Conditions of Service)

1. After employees have completed four (4) months of service, the Vice- Chancellor may grant them compassionate leave up to a maximum of five (5) working days per calendar year (which includes the three (3) working days of family responsibility leave in accordance with the BCEA) under the following conditions:
 - a) If an employee's spouse gives birth, provided that a copy of the birth certificate is submitted to the HR Division within 30 calendar days, failing which the compassionate leave is converted to vacation leave.
 - b) If the child of an employee is ill (with a certificate from a medical practitioner covering the full period of the illness).
 - c) In the event of the death of an employee's spouse, parent, adoptive parent, grandparent, parents-in-law, child, adopted child, grandchild, brother or sister.
2. If employees have taken their five (5) working days of compassionate leave, they may apply for additional compassionate leave, which will be converted into vacation or unpaid leave.
3. Records of all compassionate leave are entered on the human resources system, and proof of a death may be required.
4. Three (3) days of the family responsibility leave provision (which consists of a total of five (5) days per annum) may be used to celebrate key Muslim, Jewish, Hindu, Christian or Baha'i religious holidays. When applying for this leave, the nature of the day being applied for shall always be specified.
5. Employees may appeal to the Executive Director: Human Resources if the scope as set out herein does not cover a particular situation. The Executive Director: Human Resources will have final decision-making power in this regard.

C9 Paternal Leave
(As per the promulgation of the Labour Laws Amendment Act 2018)

1. Where an adoptive parent is not covered by the current Maternity Leave policy, an employee who is an adoptive parent of a child who is younger than two (2) years is entitled to adoptive leave of at least ten (10) weeks consecutively or the parental leave referred to above. If there are two (2) adoptive parents, one (1) of the adoptive parents may apply for adoption leave of at least ten (10) weeks (consecutive) and the other for parental leave ten (10) days. The choice is up to the two (2) parents. This entitlement is gender neutral and accommodates same sex relationships. Where unpaid leave is granted, employees can apply for UIF Benefits.
2. **Note: Any unpaid leave availed of will require the employee to continue to make contributions to the Retirement and Medical Aid funds during the period of unpaid leave absence.**
3. Employees may appeal to the Executive Director: HR if the scope as set out herein does not cover a particular situation. The Executive Director: HR will have final decision-making power in this regard.

**C10 Commissioning Paternal Leave
(As per the promulgation of the Labour Laws Amendment Act of 2018)**

1. An employee who is a commissioning parent in a surrogate motherhood agreement is entitled to commissioning parental leave of at least ten (10) weeks consecutively or the parental leave referred to above. The surrogate mother will be entitled to two and a half (2.5) months leave, that is thirty (30) days prior to confinement, and another six (6) weeks for recovery, in the case of birth without complications, unless directed to go back to work earlier by her doctor. However, if there were any complications during or after birth, depending on the doctor's recommendation, the surrogate mother will be granted no less benefits than those of employee going on maternity leave.
2. If there are two (2) commissioning parents, one of them may apply for commissioning parental leave (ten (10) weeks and the other for parental leave ten (10) days).
3. **Note: Any unpaid leave availed of will require the employee to continue to make contributions to the Retirement and Medical Aid funds during the period of unpaid leave absence.**
4. Employees may appeal to the Executive Director: HR if the scope as set out herein does not cover a particular situation. The Executive Director: HR will have final decision-making power in this regard.

C11 Adoption Leave
(As per the promulgation of the Labour Laws Amendment Act of 2018)

1. Where an adoptive parent is not covered by the current Maternity Leave policy, an employee who is an adoptive parent of a child younger than two (2) years of age is entitled to adoption leave of at least ten (10) weeks consecutively or paternity/parental leave. If there are two (2) adoptive parents, one (1) of the adoptive parents may apply for adoption leave of at least ten (10) weeks (consecutive) and the other for paternity/parental leave (ten (10) working days). The choice is up to the two (2) parents. This entitlement is gender neutral and accommodates same sex relationships; however, in order to benefit employees must disclose their parental role in these relationships or family arrangements.
2. Adoption leave that is applicable to adoptive parents must be taken at the time of adoption.
3. **Note: Any unpaid leave availed of will require the employee to continue to make contributions to the Retirement and Medical Aid funds during the period of unpaid leave absence.**
4. Employees may appeal to the Executive Director: HR if the scope as set out herein does not cover a particular situation. The Executive Director: HR will have final decision-making power in this regard.