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INHOUD.

Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

Proklamasies en Goewermentskennisgewings in „Buitengewone Staatskoerante” gepubliseer, word vir verwysingsdoeleindes in die weeklikse inhoudsopgawe ingesluit.

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(B.S. No. 5121).

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Aangesien Maandag, 7 September 1953, 'n openbare vakansiedag is, moet alle kennisgewings vir plasing in die Staatskoerant van 11 September 1953, hierdie kantoor bereik voor 3 nm. op Donderdag, 3 September 1953.

S. A. MYBURGH,
Staatsdrukker.

Proclamations, Government Notices, etc., for insertion in the Government Gazette.

As Monday, the 7th September, 1953, is a public holiday, all notices for insertion in the *Government Gazette* of the 11th September, 1953, must reach this office not later than 3 p.m. on Thursday, the 3rd September, 1953.

S. A. MYBURGH,
Government Printer.
7-14-21-28

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BYLAE 3.

LYS VAN TOELAES BETAALBAAR AAN WERKNEMERS GEDURENDE
VERLOF.

Duurtetoelae.
Vervoertoelae (slegs vaste tariewe).
Huistoelae.

P. STRACHAN,
Voorsitter.

J. SMIT,
Verteenwoordiger van die Suid-Afrikaanse
Vereniging van Munisipale Werknemers
(Nie-politieke).

H. W. KRUGER,
Verteenwoordiger van die Stadsraad van
Vereeniging.

10 April 1953.

SCHEDULE 3.

LIST OF ALLOWANCES PAYABLE TO EMPLOYEES WHILST ON LEAVE.

Cost of living allowance.
Locomotion allowance (standing charges only).
House allowance.

P. STRACHAN,
Chairman.

J. SMIT,
Representing the South African Association
of Municipal Employees (Non-Political).

H. W. KRUGER,
Representing the Town Council of
Vereeniging.

10th April, 1953.



Wapen van die Unie van Suid-Afrika

In Kleure

Groot $11\frac{1}{2}$ duim by 9 duim

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Wette van die Unie van Suid-Afrika, 1951

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21. BETALING IN PLAAS VAN VERLOF BY DIENSVERLATING.

Wanneer 'n werknemer die Raad se diens verlaat, is hy daartoe geregtig om, in plaas van enige vakansieverlof wat hom toekom tot die maksimum wat ooreenkomstig hierdie Ooreenkoms mag oploop, betaling te ontvang teen die salaris of loon wat dan op hom van toepassing is.

22. AANSOEK OM VERLOF.

Verlof word slegs toegestaan nadat skriftelike aansoeke op die vorm wat deur die Raad voorgeskryf word, gedoen is.

23. VERLOFREGISTER.

Alle verlof wat verskuldig, toegestaan en geneem is, word aangeteken in 'n verlofregister wat vir die doel gehou word. Die stadstoesourier het beheer oor hierdie register. Werknemers is daartoe geregtig om op alle redelike tye gedurende kantoorure inligting betreffende hul verlof te vra.

24. HERROEPING VAN BESTAANDE VERLOFREGULASIES.

(1) Hierdie Ooreenkoms word geag van krag te wees met ingang van 'n datum wat deur die Minister vasgestel moet word.

(2) Geen opgelope verlofregte van 'n werknemer word deur hierdie Ooreenkoms geraak nie, insluitende die reg van die werknemer om die bonus- en jaarlikse verlof waartoe hy op die datum van hierdie Ooreenkoms geregtig is, as een verloftydperk te neem.

25. BOTSING MET BESTAANDE UITSPRAKE EN OOREENKOMSTE.

Die bepalinge van hierdie Ooreenkoms is nie van toepassing op werknemers wie se verlofregte en -voorregte deur 'n Arbitrasieuitspraak of Versoeningsooreenkoms of ander ooreenkoms met die Raad-beheer word nie, behalwe vir sover daar ooreengekom is om sodanige uitspraak of ooreenkoms aan te vul met enigeen van die bepalinge van hierdie Ooreenkoms wat nie in stryd daarmee is nie.

BYLAE 1.

GROEP A.

Stadsklerk; stadstoesourier; stadsingenieur; geneeskundige gesondheidsbeampte; elektrotegniese stadsingenieur; bestuurder van parke en landgoed; bestuurder van Nie-blankesake.

GROEP B.

Assistent-stadsklerk, hoofassistent, eerste assistent, senior klerk (departement van stadsklerk), komiteeklerke en die sekretaris van die burgemeester.

GROEP C.

Assistent-stadsingenieur; assistent-stadstoesourier; assistent-geneeskundige gesondheidsbeampte (kliniekdienste); assistent-ingenieur (elektrotegnies) graad 1; assistent (nie-tegnies); hoofgesondheidsinspekteur; inspekteur van aansteeklike siektes; gesondheids- en vleisinspekteurs; verkeersinspekteurs; gesondheidsbezoeksters (verantwoordelike susters); superintendent van die slagplaa; assistent-superintendent van die slagplaa; assistent-bestuurder van Nie-blankesake; hoofbeampte, registrasie en toestromingsbeheer; tehuissuperintendent; dorpsinspekteur; bevelvoerende beampte oor loksiepolisie; toesighouer oor melkdépôt; loka-siesuperintendente; superintendente van waterwerke; superintendent van werkwinkels; superintendent van riolering; voorman, sanitasie; voorman, paai; stadsaalopsigter en bestuurder van burgemeestersmotor; elektrisiëns met insluiting van die voorman-elektrisiëns; lede van die ambulans- en brandweerpersoneel en die sanitêre nagopsigter; opsigter, bierdépôt; superintendent, brouery; assistent-brouer; assistent-dorpsinspekteur; welsynsbeampte en sportorganiseerder; superintendent van openbare reinigingsdienste; algemene voorman, departement van parke en landgoed; koper en kontroleur van voorrade; voorraadbeampte, klerk; voorraad-beampte, uitreiker.

GROEP D.

Alle ander werknemers.

BYLAE 2.

SKAAL VAN VAKANSIE- EN SIEKTEVERLOF.

Verlof-groep.	Vakansieverlof (Werkdae per jaar).	Siekteverlof—Loop op vir aaneenlopende siklus van drie jaar.	
		Werkdae per jaar met volle betaling.	Werkdae per jaar met halwe betaling.
A.	42	40	40
B.	40	40	40
C.	38	40	40
D.	32	40	40

21. PAYMENT IN LIEU OF LEAVE ON LEAVING SERVICE.

At the date of leaving the Council's service, an employee shall be entitled to be paid, at the salary or wage operative at such date, in lieu of any vacation leave which has accrued to him up to the maximum permitted to be accumulated in terms of this agreement.

22. APPLICATION FOR LEAVE.

Leave shall be granted only after written application is made in the form prescribed by the Council.

23. LEAVE REGISTER.

All leave due, leave granted and leave taken shall be recorded in a leave register to be kept for the purpose. Such register shall be under the control of the town treasurer. Employees shall be entitled to obtain information regarding their leave at all reasonable times during office hours.

24. REPEAL OF EXISTING LEAVE REGULATIONS.

(1) This Agreement shall be deemed to be of force and effect from a date to be determined by the Minister.

(2) No accrued leave rights of an employee shall be affected by this Agreement, including the right of the employee to take such bonus and annual leave as shall have accrued at the date of this Agreement as one period of leave.

25. CONFLICT WITH EXISTING AWARDS AND AGREEMENTS.

The provisions of this Agreement shall not apply to any employees whose leave rights and privileges are governed by any arbitration award or conciliation agreement or other agreement with the Council, except in so far as it may be agreed to supplement any such award or agreement with any of the provisions of this Agreement not in conflict therewith.

SCHEDULE 1.

GROUP A.

Town clerk, town treasurer, town engineer, medical officer of health, town electrical engineer, manager of parks and estates and manager of non-European affairs.

GROUP B.

Assistant town clerk, chief assistant, principal assistant, senior clerk (town clerk's department), committee clerks, mayor's secretary.

GROUP C.

Assistant town engineer, assistant town treasurer, assistant medical officer of health (clinical services), assistant engineer (electrical) grade 1, assistant (non-technical), chief health inspector, infectious diseases inspector, health and meat inspectors, traffic inspectors, health visitors (sisters-in-charge), abattoir superintendent, assistant abattoir superintendent, assistant manager of non-European affairs, chief registration and influx control officer, hostel superintendent, town inspector, officer-in-charge of location police, milk depot supervisor, location superintendents, waterworks superintendent, workshops superintendent, sewerage superintendent, sanitation foreman, roads foreman, town hall commissionaire and mayoral chauffeur, electricians, including the foreman electrician, members of the ambulance and fire brigade staff, and the sanitary night overseer, beer depot supervisor, brewery superintendent, assistant brewer, assistant town inspector, welfare officer and sports organiser, superintendent of public cleansing, general foreman, parks and estates department, buyer and controller of stores, storeman/clerk, storeman issuer.

GROUP D.

All other employees.

SCHEDULE 2.

SCALE OF VACATION AND SICK LEAVE.

Leave Group.	Vacation Leave (Working days per annum).	Sick Leave—Cumulative for Continuing Cycle of Three Years.	
		Working days per annum on full pay.	Working days per annum on half pay.
A.	42	40	40
B.	40	40	40
C.	38	40	40
D.	32	40	40

(6) (a) Met volle betaling waar 'n werknemer gedagvaar word om voor die hof te verskyn, nie in verband met sy amptelike pligte nie, behoudens die voorwaarde dat enige bedrag wat as getuigelde of vir uitgawes ontvang word, aan die Raad betaal word; met dien verstande, egter, dat waar sodanige bywoning van die hof 'n werknemer verplig om weg te reis van die dorp waar hy werk, hy daartoe geregtig is om alle redelike uitgawes wat hy op sodanige reis en vir sy verblyf op die plek waar die saak verhoor is, aangegaan het, van die gelde wat aan die Raad terugbetaal moet word, af te trek.

(b) Waar dit van 'n werknemer vereis word om die hof by te woon in verband met of na aanleiding van sy amptelike pligte:—

- (i) Is dit nie vir sodanige amptenaar nodig om spesiale verlof aan te vra nie;
- (ii) moet bedrae wat as getuigelde of vir uitgawes deur sodanige amptenaar ontvang is, aan die Raad betaal word;
- (iii) word dit van die Raad vereis om die redelike uitgawes wat op reis en vir verblyf op die plek waar die saak verhoor word deur die amptenaar aangegaan is, te betaal.

(7) Indien die omstandighede van 'n geval 'n afwyking van die bepalings van hierdie Ooreenkoms regverdig, kan die Raad magtiging verleen vir die toestaan van spesiale verlof aan 'n werknemer op die voorwaardes wat hy bepaal.

15. VERLOF SONDER BETALING.

(1) Indien 'n werknemer al die vakansieverlof of, na gelang van die geval, siekteverlof waartoe hy geregtig is, geneem het, kan verlof sonder betaling aan hom toegestaan word deur die hoof van sy departement vir 'n tydperk of tydperke wat altesaam nie ses (6) werkdade in een verloopjaar oorskry nie, en deur die komitee wat sy departement beheer vir 'n tydperk van meer as ses (6) dae, mits die hoof van die departement of die komitee, na gelang van die geval, oortuig is dat daar omstandighede bestaan wat die toestaan van die verlof regverdig.

(2) 'n Werknemer wat met verlof sonder betaling afwesig is op die dag voor sowel as die dag na 'n openbare of munisipale vakansiedag of Sondag, is nie geregtig tot betaling vir sodanige vakansiedag of Sondag nie.

16. VERLOF OP OPENBARE OF MUNISIPALE VAKANSIEDAE.

(1) Behoudens die bepalings van artikel 15 (2) hiervan en benevens enige ander verlof wat ooreenkomstig hierdie Ooreenkoms toegestaan mag word, is 'n werknemer geregtig tot verlof met volle betaling op alle openbare en munisipale vakansiedae.

(2) Met uitsondering van die werknemers wat onder groepe (A), (B) en (C) hiervan ressorteer, word daar aan 'n werknemer van wie dit vereis word om op 'n openbare of munisipale vakansiedag te werk; vergoedingsverlof met volle betaling op 'n ander dag toegestaan; met dien verstande dat waar die vergoedingsverlof nie binne vier weke na die datum van die vakansiedag aan hom toegestaan kan word nie, sodanige verlof by die vakansieverlof wat hom toekom, gevoeg moet word; en met dien verstande verder dat 'n werknemer wat vir werk wat hy op 'n munisipale of openbare vakansiedag gedoen het, betaal word, nie tot vergoedingsverlof geregtig is nie.

17. VERLOF VIR WERK OP SATERDAE OF SONDAG.

Daar word aan 'n werknemer van wie vereis word om op 'n Saterdag of op 'n Sondag te werk en wie se pligte nie gewoonlik vereis dat hy op Saterdag of Sondag werk nie, vergoedingsverlof met volle betaling op 'n ander dag toegestaan; met dien verstande dat waar sodanige vergoedingsverlof nie binne vier weke na die datum van die Saterdag of Sondag waarop hy gewerk het, toegestaan kan word nie, sodanige verlof by die Vakansieverlof wat hom toekom, gevoeg moet word; en met dien verstande verder dat 'n werknemer wat vir werk wat hy op 'n Saterdag of Sondag gedoen het, betaal word, nie tot vergoedingsverlof geregtig is nie.

18. DIENS WAT NIE VIR VERLOFDOELEINDES TEL NIE.

Waar 'n werknemer gedurende enige verloopjaar verlof sonder betaling vir 'n tydperk of tydperke van altesaam meer as 50 werkdade geneem het, word die tydperk waarmee sy verlof sonder betaling 50 dae oorskry het, nie as diens vir verlofdoeleindes ooreenkomstig hierdie Ooreenkoms beskou nie, tensy die Raad anders besluit.

19. VERANDERING VAN VERLOFVOORWAARDES.

Waar die verloopvoorwaardes van 'n werknemer verander as gevolg van die verandering van sy salaris of status, word sy verlof vir daardie besondere verloopjaar *pro rata* daarby aangepas.

20. KONDONERING VAN DIENSONDERBREKING BY HERINDIENSNEMING.

Wanneer 'n werknemer wie se diens onderbreek is, weer in diens geneem word en die Raad stem toe om sy diensonderbreking te kondoneer, word sodanige tydperk van onderbreking as verlof sonder betaling beskou en die werknemer se verloopjaar word beskou asof dit begin op die datum waarop hy weer in diens geneem word.

(6) (a) on full pay where an employee is subpoenaed to appear in Court not in connection with his official duties, subject to the condition that any amount received for witness fees or expenses shall be paid to the Council provided, however, that where such attendance at Court necessitates travelling away from his town of employment the employee shall be entitled to deduct from any fees refundable to the Council any reasonable expenditure incurred by him whilst to travelling and for accommodation at the place of hearing;

(b) where an employee is required to attend Court in connection with or arising from his official duties—

- (i) it shall not be necessary for such official to apply for special leave;
- (ii) any witness fees or expenses received by such official shall be paid to the Council;
- (iii) the Council shall be required to pay any expenses reasonably incurred by such official whilst travelling and for accommodation at the place of hearing;

(7) If the circumstances of a case justify a departure from the provisions of this Agreement the Council may authorise the grant of special leave to an employee on such terms and conditions as it may decide.

15. LEAVE WITHOUT PAY.

(1) If an employee has exhausted all the vacation leave or, as the case may be, sick leave standing to his credit, he may be granted leave without pay by the head of his department for a period or periods not exceeding in the aggregate six (6) working days in any one leave year, and by the Committee which has charge of his department for any period in excess of such six (6) days, subject to the head of department or Committee, as the case may be, being satisfied of the existence of circumstances justifying such grant of leave.

(2) An employee absent on leave without pay on both the day before and the day after a public or municipal holiday or Sunday shall not be entitled to pay for such holiday or Sunday.

16. LEAVE ON PUBLIC OR MUNICIPAL HOLIDAYS.

(1) Subject to the provisions of Section 15 (2) hereof, in addition to any other leave which may be granted under this Agreement, an employee shall be entitled to leave on full pay on all public and municipal holidays.

(2) With the exception of the employees falling within Groups (A), (B) and (C) hereof, an employee who is required to be on duty on any public or municipal holiday shall be granted leave on full pay on some other day in compensation provided that where such leave in compensation cannot be granted to him within four weeks from the date of the holiday, such leave shall be added to any vacation leave due to him; provided further that any employee who is paid for work done on a public or municipal holiday shall not be entitled to any leave in compensation.

17. LEAVE FOR WORKING ON SATURDAYS OR SUNDAYS.

An employee who is required to work on either a Saturday or a Sunday, and whose duties do not ordinarily require him to be on duty on Saturdays or Sundays, shall be granted leave on full pay on some other day in compensation; provided that where such leave in compensation cannot be granted to him within four weeks from the date of the Saturday or Sunday worked, such leave shall be added to any vacation leave due to him; provided further that any employee who is paid for work done on a Saturday or a Sunday shall not be entitled to any leave in compensation.

18. SERVICE WHICH DOES NOT COUNT FOR LEAVE PURPOSES.

Where an employee has taken leave without pay for a period or periods in excess in the aggregate of 50 working days in any one leave year, such excess period of leave without pay shall not be deemed to be service for purposes of leave under this Agreement, unless otherwise decided by the Council.

19. CHANGE OF LEAVE CONDITIONS.

Where the leave conditions of an employee change owing to alteration in salary or status, his leave for that particular leave year shall be adjusted *pro rata*.

20. CONDONATION OF BREAK IN SERVICE ON RE-ENGAGEMENT.

Where an employee whose service has been broken is re-engaged, and the Council agrees to condone his break in service, such break shall be considered as leave without pay and the employee's leave year shall be regarded as having commenced on the date he is re-engaged.

(b) Daar kan te eniger tyd van 'n werknemer wat om siekteverlof aansoek doen, deur die hoof van sy departement, na oorlegging met die geneeskundige gesondheidsbeampte, vereis word om hom op koste van die Raad te laat ondersoek deur 'n mediese raad bestaande uit drie (3) lede, waarvan twee deur die Raad en een deur die betrokke werknemer benoem moet word, en daar kan vir hierdie doel van hom vereis word om na 'n gespesifiseerde plek te gaan.

(c) 'n Werknemer se aansoek om siekteverlof, vergesel van die sertifikaat waarvan in subartikel (2) (a) van hierdie artikel melding gemaak word, moet nie later as die derde dag van sy siekte ingedien word nie, tensy omstandighede sodanige indiening onmoontlik maak, en in dié geval moet hy sy aansoek om siekteverlof so gou doenlik indien.

(d) Die hoof van 'n departement waarin 'n werknemer werk, kan vereis dat hy 'n mediese sertifikaat verstrek ter ondersteuning van sy aansoek om siekteverlof vir 'n tydperk van twee dae of minder, indien die hoof van die departement meen dat omstandighede sodanige optrede regverdig.

(e) Siekteverlof van meer as agt (8) dae altesaam wat in een kalenderjaar deur 'n werknemer geneem word en wat nie deur mediese sertifikate gesteun word nie, word as vakansieverlof behandel, of indien die vakansieverlof wat die werknemer toekom nie voldoende is nie, word dit as verlof sonder betaling behandel.

(3) *Algemeen.*—(a) Siekteverlof is betaalbaar met ingang van die eerste dag van die siekte.

(b) Behoudens die bepalinge van artikel 7, word betaling vir 'n tydperk van siekteverlof gedoen op die eerste gewone betaal-dag nadat die Raad van die werknemer se siekte in kennis gestel is en die vereiste mediese sertifikaat, waar nodig, ingedien is, behalwe in gevalle waar die aansoek om siekteverlof met betaling nie goedgekeur word nie.

(c) Niks wat in hierdie Ooreenkoms vervat is, belet die afdanking van 'n werknemer uit die diens van die Raad op grond van slegte gesondheid of die ontslag van sodanige werknemer in die loop van sy siekteverlof of voordat hy siekteverlof geneem het nie.

(d) Siekteverlof word op die basis van die kalenderjaar bereken en op 1 Januarie van elke jaar word daar 'n volle jaar se kwota tot elke werknemer se krediet geplaas; met dien verstande, egter, dat daar op die datum waarop die drie maande waarin 'n nuwe werknemer kwalifiseer, voltooi is, 'n pro rata kwota vir die res van die kalenderjaar tot sy krediet geplaas word.

(e) 'n Werknemer wat siek word terwyl hy met vakansieverlof is, is nie tot siekteverlof geregtig voordat sodanige vakansieverlof verstryk het nie.

(f) Indien dit blyk dat die omstandighede van die geval 'n afwyking van hierdie Ooreenkoms regverdig, kan die Raad, op die voorwaardes wat hy bepaal, bykomende siekteverlof aan 'n werknemer toestaan.

14. SPESIALE VERLOF.

Benewens die verlof wat in hierdie Ooreenkoms gespesifiseer word, kan spesiale verlof na goeddunke van die Raad aan werknemers toegestaan word met die betaling, op die voorwaardes en vir die doeleindes wat hier aangedui word:—

- (1) Met volle betaling waar 'n werknemer onder kwarantyn geplaas is ingevolge 'n mediese opdrag en onderworpe aan die goedkeuring van die geneeskundige gesondheidsbeampte of sy plaasvervanger.
- (2) Met volle betaling waar die werknemer vir verpligte periodieke militêre opleiding opgeroep word; of deur die Raad toegelaat word om hom tot verlengde militêre diens te verbind; of enige verpligte militêre diens doen wat hom as burger van die Unie opgelê word, onderworpe aan die indiening van die nodige bywoningsertifikaat en mits hy aan die Raad die gelde betaal wat hy as militêre soldy en toelaes ontvang het, met uitsondering van enige verpligte aftrekkings wat gedoen is, terwyl die bedrag waarmee die militêre soldy die Raad se besoldiging oorskry, deur die betrokke werknemer behou word.

Spesiale verlof wat ooreenkomstig hierdie subartikel toegestaan word, sluit enige tyd in wat werklik en noodsaaklikerwys deur reis in beslag geneem is.

- (3) 'n Werknemer wat aansoek doen om spesiale verlof om 'n herhalingskursus in enige militêre eenheid by te woon, kan, onderworpe aan die vereistes van die diens, toegelaat word om sodanige verlof vir dié doel sonder betaling te neem en om die vergoeding wat hy van die militêre owerheid ontvang, te behou; of anders, as die werknemer dit verkies en mits voldoende vakansieverlof hom toekom, om sodanige vakansieverlof vir dié doel te neem en toegelaat word om enige vergoeding wat hy van die militêre owerheid ontvang, te behou. Spesiale verlof wat ooreenkomstig hierdie subartikel toegestaan word, sluit enige tyd in wat werklik en noodsaaklikerwys deur reis in beslag geneem is.
- (4) Met volle betaling met die doel om 'n eksamen af te lê wat na die stadsraad se mening waarskynlik die kwalifikasies sal verbeter wat van 'n werknemer vereis word om die pligte verbonde aan die betrekking wat hy beklee, of enige ander betrekking in die diens waarna hy mag streef, doeltreffend te verrig.
- (5) Met volle betaling gedurende 'n tydperk wat van 'n werknemer vereis word om in die Jurie te dien, mits die bedrag wat ten opsigte van sulke dienste ontvang word, min alle redelike uitgawes wat deur geskikte besonderhede gestaaft word, aan die Raad betaal word.

(b) An applicant for sick leave may be required by the head of his department, after consultation with the medical officer of health, at any time to submit himself for examination at the expense of the Council by a medical board consisting of three (3) members, two of whom shall be appointed by the Council and one by the employee concerned, and for this purpose may be required to proceed to a specified place.

(c) Not later than the third day of illness, the employee shall submit his application for sick leave accompanied by the certificate referred to in sub-section (2) (a) of this section, unless circumstances make such submission impossible in which event he shall submit his application for sick leave as soon as practicable.

(d) The head of department in which he is employed may require any employee to furnish a medical certificate in support of his application for sick leave for a period of two days or less, if such head of department considers that circumstances warrant such a course.

(e) Any sick leave in excess of eight (8) days in the aggregate taken by an employee in any one calendar year and unsupported by medical certificate shall be treated as vacation leave or, if insufficient vacation leave is due to such employee, it shall be treated as leave without pay.

(3) *General.*—(a) Sick leave shall be payable as from the first day of illness.

(b) Subject to the provisions of section 7, payment of sick leave pay shall be made on the next ordinary pay day following the notification to the Council of the employee's illness and the production, where necessary, of the required medical certificate, except in those cases where the application for paid sick leave is not approved.

(c) Nothing in this Agreement contained shall preclude the retirement of an employee from the service of the Council on the grounds of ill-health, or the dismissal of such employee during the currency of any sick leave or before any period of sick leave has been taken.

(d) Sick leave shall be calculated on the basis of the calendar year and every employee shall be credited with a full year's allowance as at the 1st January in each year; provided, however, that at the date of completion of the three months' qualifying period a new employee shall be credited with a *pro rata* allowance for the remainder of the calendar year.

(e) An employee who becomes ill whilst on vacation leave shall not be entitled to sick leave until the termination of the said vacation leave.

(f) If the circumstances of the case would appear to justify a departure from this Agreement, the Council may grant additional sick leave to an employee on such terms and conditions as it may decide.

14. SPECIAL LEAVE.

In addition to the leave specified in this Agreement, special leave may, in the discretion of the Council, be granted to employees on the pay, conditions and for the purpose indicated herein—

- (1) on full pay where an employee is placed in quarantine, under medical instructions, and subject to the approval of the medical officer of health or his deputy;
- (2) on full pay where the employee is called up for compulsory periodical military training; or has been permitted by the Council to engage himself for extended military service; or is undertaking any obligatory military duty imposed upon him as a citizen of the Union, subject to production of a satisfactory attendance certificate and provided he pays to the Council any moneys received as military pay and allowances, excluding any compulsory deductions made; excess military pay over the Council's remuneration to accrue to the employee concerned. Special leave granted under this sub-section shall include any period actually and necessarily occupied in travelling;
- (3) an employee applying for special leave to attend a refresher course in any military unit may be permitted, subject to the exigencies of the service, to take such leave without pay for this purpose and to retain any remuneration received by him from the military authorities; or alternatively, at the option of the employee and provided he has sufficient vacation leave due to him, to take such vacation leave for this purpose and be permitted to retain any remuneration received by him from the military authorities. Special leave granted under this sub-section shall include any period actually and necessarily occupied in travelling;
- (4) on full pay for the purpose of sitting as a candidate for any examination which, in the opinion of the town council, is likely to improve the qualifications required of an employee for the efficient performance of the duties attached to the position he holds or any other position in the service to which he may aspire;
- (5) on full pay during any period an employee is required to serve on the Jury; provided the amount received in respect of such services, less any reasonable expenses supported by suitable details, is paid to the Council;

9. HOE VERLOF BEREKEN MOET WORD.

Alle verlof moet bereken word sonder—

- (a) 'n Saterdag wat aan die begin of einde val van die verlof-tydperk van 'n werknemer wat op 'n vyfdagweek-grondslag werk;
- (b) openbare en munisipale vakansiedae;
- (c) Sondae of ander gewone vry dae.

10. INDELING VAN VERLOF.

Alle afwesigheidsverlof ooreenkomstig hierdie Ooreenkoms moet uit een of meer van die volgende kategorieë bestaan:—

- (a) Vakansieverlof.
- (b) Siekteverlof.
- (c) Spesiale verlof.
- (d) Verlof sonder betaling.
- (e) Verlof op openbare of munisipale vakansiedae.
- (f) Verlof vir diens op 'n Sondag of Saterdag.

11. VERLOFGROEPE.

Alle werknemers word vir die toepassing van hierdie Ooreenkoms geklassifiseer onder een van die kategorieë wat in Bylae (1) van hierdie Ooreenkoms genoem word.

12. VAKANSIEVERLOF.

(1) *Tydperke waarvoor vakansieverlof toegestaan word.*—Werknemers wat onder die groepe ressorteer wat in Bylae (1) van hierdie Ooreenkoms gespesifiseer word, is geregtig tot vakansieverlof volgens die skaal wat in Bylae (2) van hierdie Ooreenkoms voorgeskryf word.

(2) *Algemeen.*—(a) Elke werknemer met meer as een jaar diens moet, voor die verstryking van elke verlofjaar, minstens twee kalenderweke vakansieverlof neem. Indien hy versuim om dit te doen, word die getal werkdae verlof wat nie geneem is nie, verbeur, tensy sodanige versuim toe te skryf is aan die werking van enigeen van die bepalings van subartikels (1), (2) of (3) van artikel 4 van hierdie Ooreenkoms.

(b) 'n Werknemer kan die orige vakansieverlof wat hom toekom, oor enige tydperk laat ooploop tot hoogstens 180 werkdae.

(c) Die komitee wat beheer het oor 'n departement kan in spesiale omstandighede 'n werknemer van sodanige departement toelaat om vakansieverlof wat hom sal toekom hoogstens een verlofjaar vooruit te neem; met dien verstande egter dat indien die betrokke werknemer die diens verlaat voordat die verlof wat hom toekom voldoende is om dié wat hy vooruit geneem het, te dek, die betrokke bedrag uit enige gelde wat aan die werknemer verskuldig is, verhaalbaar is.

(d) 'n Werknemer kan in enige verlofjaar hoogstens 6 (ses) werkdae verlof in tydperke van een of meer dae op 'n slag neem.

(e) Vakansieverlof loop op vir elke maand diens wat voltooi is en kan, behoudens die bepalings van subartikel (d) hiervan, teen een-twaalfde van die jaarlikse verloftydperk waartoe 'n werknemer geregtig is (gedeeltes van 'n dag buite rekening gelaat) geneem word.

(f) Daar word vir vakansieverlof betaal teen die salaris of loon wat geld gedurende die tydperk wanneer die verlof geneem word.

(g) Ondanks andersluidende bepalings in hierdie Ooreenkoms, kan die Raad in spesiale omstandighede die neem van vakansieverlof wat 'n werknemer toekom, vir 'n tydperk van hoogstens twee jaar uitstel; met dien verstande dat dit met die toestemming van die werknemer vir tydperke van meer as twee jaar uitgestel kan word.

13. SIEKTEVERLOF.

(1) *Tydperke waarvoor siekteverlof met betaling toegestaan kan word.*—(a) Werknemers wat onder die verskillende groepe wat in Bylae 1 van hierdie Ooreenkoms gespesifiseer word, ressorteer, is na die voltooiing van drie maande diens en behoudens die bepalings van hierdie Ooreenkoms, geregtig tot siekteverlof vir 'n tydperk of tydperke wat altesaam nie die getal werkdae wat in Bylae 2 van hierdie Ooreenkoms vir die betrokke groep gespesifiseer word, oorskry nie, met betaling teen skale wat nie dié wat ingelyks gespesifiseer word oorskry nie.

(b) Siekteverlof met betaling word nie toegestaan ten opsigte van ongesteldheid, siekte of besering as gevolg van ongereelde of onsedelike lewe, wanordelike gedrag, deelname aan sport teen geldelike vergoeding of vir geldpryse, of die werknemer se eie nalatigheid of growwe en moedswillige wangedrag nie; met dien verstande dat dit buite redelike twyfel bewys moet word dat sodanige ongesteldheid, siekte of besering die gevolg was van een van die faktore wat in hierdie artikel opgenoem word.

(c) Siekteverlof met betaling wat ooreenkomstig hierdie Ooreenkoms aan 'n werknemer toegestaan kan word, loop op vir 'n aanenlopende siklus van drie jaar. Alle siekteverlof wat aan 'n werknemer toegestaan word, word afgetrek—

- eerstens*, van die hoeveelheid toegelaat vir die eerste jaar van die siklus. Indien dit onvoldoende is;
- tweedens*, van die opgelope balans van die daaropvolgende jaar. Indien dit onvoldoende is;
- derdens*, van die afgelope balans van die derde jaar van die siklus.

(2) *Mediese sertifikaat.*—(a) 'n Aansoek om siekteverlof vir 'n tydperk van meer as twee dae moet gesteun word deur 'n sertifikaat van 'n geregistreerde mediese praktisyn in die vorm wat deur die Raad voorgeskryf word, en dié moet vir goedkeuring of andersins aan die geneeskundige gesondheidsbeampste of sy plaasvervanger voorgelê word.

9. HOW LEAVE IS TO BE RECKONED.

All leave is to be reckoned as excluding—

- (a) any Saturday which falls at the commencement or end of the period of leave of any employee working on a five-day week basis;
- (b) Public and municipal holidays;
- (c) Sundays or other regular days off;

10. CLASSIFICATION OF LEAVE.

All leave of absence under this Agreement shall consist of one or more of the following categories:—

- (a) Vacation leave;
- (b) sick leave;
- (c) special leave;
- (d) leave without pay;
- (e) leave on public or municipal holidays;
- (f) leave for working on Saturdays or Sundays;

11. LEAVE GROUPS.

All employees shall, for the purpose of this Agreement be classified under one of the categories set out in Schedule 1 to this Agreement.

12. VACATION LEAVE.

(1) *Extent to which Vacation Leave shall be Granted.*—Employees falling within the groups specified in Schedule 1 of this Agreement shall be entitled to vacation leave on the scale prescribed in Schedule 2 of this Agreement.

(2) *General.*—(a) Every employee with more than one year's service shall be obliged to take vacation leave of at least two calendar week's duration before the expiry of each leave year, falling which the equivalent number of working days leave which have not been taken shall be forfeited, unless such failure was due to the operation of any of the provisions of sub-sections (1), (2) or (3) of section 4 of this Agreement.

(b) The balance of vacation leave due to an employee may be accumulated by such employee over any period to an amount not exceeding 180 working days.

(c) The Committee which has charge of a Department may, in special circumstances, allow an employee of such department to anticipate by not more than one leave year vacation leave falling due to him; provided however, that if the employee concerned leaves the service before his accrued leave is sufficient to cover the anticipated leave taken, the amount involved shall be recoverable from any moneys due to such employee.

(d) In any leave year an employee may take an amount of not more than six (6) working days leave in periods of one day or more at a time.

(e) For each completed month of service vacation leave shall accrue and may, subject to the provisions of sub-section (d) hereof, be taken at the rate of one-twelfth of the annual amount of leave to which an employee is entitled, fractions of a day being ignored.

(f) Vacation leave shall be paid at the salary or wage operative during the period when the leave is taken.

(g) Notwithstanding anything to the contrary in this Agreement contained, the Council may, in special circumstances, defer for a period not exceeding two years the taking of any vacation leave due to any employee; provided that, with the concurrence of the employee, leave may be deferred for periods in excess of two years.

13. SICK LEAVE.

(1) *Extent to which Sick Leave with Pay may be Granted.*—

(a) Employees falling within the several groups specified in Schedule 1 in this Agreement shall, after the completion of three months' service and subject to the provisions of this Agreement be entitled to sick leave for a period or periods not exceeding in the aggregate the number of working days specified in Schedule 2 to this Agreement for such groups, with pay at rates not exceeding those likewise specified.

(b) Paid sick leave shall not be granted in respect of illness disease or injury due to irregular or immoral living, disorderly conduct, participation in sports for monetary reward or for mone prizes, or the employee's own negligence or gross and wilful misconduct; provided that it shall be proved beyond reasonable doubt that such illness, disease or injury was due to any of the factors enumerated in this section.

(c) The paid sick leave which an employee may be granted under this Agreement shall be cumulative for a continuing cycle of three years. Any sick leave granted to an employee shall be deducted—

Firstly: From the allowance for the first year of the cycle if that is insufficient—

Secondly: From the accumulated balance for the succeeding year.

If that is insufficient—

Thirdly: From the accumulated balance for the third year of the cycle.

(2) *Medical Certificate.*—(a) Any application for sick leave for a period in excess of two days shall be supported by a certificate of a registered medical practitioner, in the form prescribed by the Council, which shall be submitted to the medical officer of health or his deputy for approval or otherwise.

„werknemer”, ’n blanke persoon, met uitsondering van ’n gesubsidieerde arbeider, wat in ’n voltydse hoedanigheid in diens is, hetsy permanent, tydelik of los, in die gesalarieerde weekliks-, daagliks of per-uur-betaalde personeel van die Raad;

„verlofjaar”, met betrekking tot ’n werknemer, ’n aaneenlopende tydperk van twaalf maande gereken met ingang van die dag van die jaar waarop die werknemer diens by die Raad aanvaar het;

„militêr”, ook al die gewapende magte van die Unie en die verpleegdienste wat daaraan verbonde is;

„munisipale vakansiedag”, ’n dag wat die Raad ’n munisipale vakansiedag verklaar;

„openbare vakansiedag”, ’n dag wat die Regering van die Unie van Suid-Afrika ’n openbare vakansiedag verklaar het;

„salaris”, die substantiewe besoldiging, met uitsondering van enige toelae, van ’n werknemer in die gesalarieerde personeel van die Raad;

„diens”, die onafgebroke tydperk van voltydse diens by die Raad in enige hoedanigheid;

„tydelike werknemer”, ’n werknemer, uitgesonderd ’n los werknemer, wat nie in die permanente personeel of vaste personeelsterkte aangestel is nie;

„loon”, die substantiewe besoldiging, met uitsondering van enige toelae, van ’n werknemer in die weekliks-, daagliks- of per-uur-betaalde personeel van die Raad;

„werkdae”, nie ook Sondae of ander gewone vry dae en openbare en munisipale vakansiedae nie, maar wel Saterdae waar ’n werknemer op ’n vyfdagweek-grondslag werk, mits sulke Saterdae binne die verloftydperk val en nie aan die begin of einde daarvan nie.

4. VERLOF ONDERWORPE AAN DIE VEREISTES VAN DIE DIENS.

(1) Die tyd wanneer ’n werknemer vakansieverlof wat hom ooreenkomstig hierdie Ooreenkoms toekom, kan neem, kan nie as ’n reg geëis word nie, maar word na goeddunke van die Raad en volgens die vereistes van die diens vasgestel.

(2) Verlof wat aan ’n werknemer toegestaan maar nog nie deur hom geneem is nie, kan te eniger tyd ingetrek word indien sodanige intrekking in die belang van die diens nodig geag word, en in so ’n geval word dit van die betrokke werknemer vereis om ’n nuwe aansoek om sodanige verlof in te dien.

(3) ’n Werknemer kan van verlof teruggeroep word deur die hoof van die departement waarin hy werk in oorleg met die stadsklerk of deur die stadsklerk self, indien sodanige terugroeping in die belang van die diens nodig geag word. Die orige verlof wat ten tyde van die terugroeping toegestaan was maar nie geneem is nie, moet tot krediet van die betrokke werknemer geplaas word.

(4) ’n Werknemer wie se verlof toegestaan maar daarna ooreenkomstig subartikel (2) van hierdie artikel ingetrek is, of wat ooreenkomstig subartikel (3) van verlof teruggeroep is, is geregtig tot vergoeding deur die Raad vir enige onverhaalbare uitgawe wat voor sodanige intrekking of terugroeping redelikerwys deur hom aangegaan is. Die betrokke werknemer is verplig om, wanneer hy sy eis om vergoeding indien, bevredigende bewys te lewer dat hy sodanige uitgawe aangegaan het.

5. DEUR WIE VERLOF TOEGESTAAN KAN WORD.

(1) *Aan werknemers uitgesonderd hoofde van departemente.*—Verlof waartoe ’n werknemer, uitgesonderd die hoof van ’n departement, ooreenkomstig hierdie Ooreenkoms geregtig is, kan deur die hoof van die departement waarin hy werk aan hom toegestaan word; met dien verstande dat indien ’n aansoek om verlof deur die hoof van die departement geweier word, die werknemer die reg het om by die betrokke komitee van die Raad appél aan te teken.

(2) *Aan hoofde van departemente.*—Verlof waartoe die hoof van ’n departement ooreenkomstig hierdie Ooreenkoms geregtig is, kan deur die komitee wat sy departement beheer aan hom toegestaan word; met dien verstande dat waar die verloftydperk vyf (5) werkdae of minder is, sodanige komitee se magtiging nie vereis word nie, maar dat die betrokke hoof van die departement die stadsklerk in kennis stel voordat hy die verlof neem.

6. TOELAES GEDURENDE VERLOF.

Werknemers aan wie verlof van enige aard toegestaan is en wat toelae ontvang uitgesonderd dié wat in Bylae 3 van hierdie ooreenkoms uiteengesit word, ontvang nie die toelae gedurende sodanige verloftydperk nie.

7. VOORUITBETALING VIR DIE VERLOFTYDPERK.

(1) ’n Werknemer aan wie spesiale of vakansieverlof toegestaan is, word op aanvraag vooruitbetaal vir die verlof (ooreenkomstig hierdie Ooreenkoms bereken) tot aan die einde van die tydperk waarvoor die verlof toegestaan is.

(2) In spesiale gevalle waar dit nodig is, kan die Raad by besluit toestem om vir siekteverlof vooruit te betaal.

8. VERLOF WAT VERKEERD TOEGESTAAN IS.

In die geval van verlof wat verkeerd maar te goeder trou aan ’n werknemer toegestaan en deur hom geneem is, en sodanige verlof dié waartoe hy ooreenkomstig hierdie Ooreenkoms geregtig is, oorskry, word die oormaat verlof wat aan hom toegestaan is, van enige verlof wat hom daarna mag toekom, afgetrek, of ingeval hy die diens verlaat voordat voldoende verlof hom toegekom het om sodanige oormaat verlof te dek, word die bedrag wat te veel betaal is, van enige gelde wat aan die werknemer verskuldig is, afgetrek.

„employee” means a European person, excluding a subsidised labourer, employed in a full-time capacity, whether permanent, temporary or casual, on the salaried, weekly, daily or hourly paid staff of the Council;

„leave year” in relation to any employee means any consecutive period of twelve months reckoned from the day of the year upon which such employee commenced his service with the Council;

„military” includes all the armed forces of the Union and the nursing services attached thereto;

„municipal holiday” means any day which the Council shall declare to be a municipal holiday;

„public holiday” means any day which the Government of the Union of South Africa has declared to be a public holiday;

„salary” means the substantive pay, excluding any allowance, of an employee on the salaried staff of the Council;

„service” means the period of continuous full-time employment with the Council in any capacity;

„temporary employee” means an employee other than a casual employee who has not been appointed either to the permanent staff or on the fixed establishment;

„wages” means the substantive pay, excluding any allowances, of an employee on the weekly, daily or hourly paid staff of the Council;

„working days”, exclude Sundays or other regular days off, and public and municipal holidays, but include Saturdays where an employee works on a five-day week basis; provided such Saturdays fall within the period of leave and not at its commencement or end.

4. LEAVE SUBJECT TO EXIGENCIES OF SERVICE.

(1) The time at which an employee may take any vacation leave which is due to him in terms of this Agreement cannot be claimed as of right but shall be determined in the Council's discretion and as the exigencies of the service permit.

(2) Any leave which has been granted, but not yet taken, by an employee may be withdrawn at any time if such withdrawal is deemed to be necessary in the interests of the service, and, in such event, the employee concerned shall be required to submit a fresh application for such leave.

(3) An employee may be recalled from leave by the head of the Department in which he serves, in consultation with the town clerk, or by the town clerk if such recall is considered necessary in the interest of the service. The balance of leave granted but not taken at the time of such recall shall be credited to the employee concerned.

(4) An employee whose leave has been granted but subsequently withdrawn in terms of sub-section (2) of this section, or who has been recalled from leave in terms of sub-section (3), shall be entitled to be reimbursed by the Council for any irrecoverable expenditure reasonably incurred by him prior to such withdrawal or recall. The employee concerned shall be obliged, when lodging his claim for reimbursement, to produce satisfactory proof of having incurred such expenditure.

5. BY WHOM LEAVE SHALL BE GRANTED.

(1) *To Employees other than Heads of Departments.*—Any leave to which an employee, other than the head of a department, is entitled in terms of this Agreement may be granted to him by the head of the department in which he serves; provided that if any application for leave is refused by the head of the department the employee shall have the right of appeal to the relevant committee of the Council.

(2) *To Heads of Departments.*—Any leave to which the head of a department is entitled in terms of this Agreement may be granted to him by the Committee which has charge of his Department; provided that where the leave period is five (5) working days or less such committee authority shall not be required, but the head of Department concerned shall notify the town clerk prior to taking the leave.

6. ALLOWANCES WHILST ON LEAVE.

Employees to whom leave of any kind is granted and who are in receipt of allowances other than those set out in Schedule 3 of this Agreement, shall for the period of such leave cease to draw such allowances.

7. ADVANCE PAYMENT FOR PERIOD OF LEAVE.

(1) Any employee to whom vacation or special leave has been granted shall upon application be paid for such leave (calculated in accordance with this Agreement) in advance up to the end of the period for which the leave has been granted.

(2) In special cases of necessity the Council may, by resolution, agree to payment in advance for sick leave.

8. LEAVE ERRONEOUSLY GRANTED.

In the event of leave being erroneously, but in good faith, granted to and taken by an employee, such leave being in excess of the amount to which he is entitled under this Agreement, such overgrant of leave shall be deducted from any leave which may subsequently accrue to him or, in the event of his leaving the service before sufficient leave has accrued to him to cover such overgrant of leave, the amount overpaid shall be deducted from any moneys due to such employee.