



Leave Policy

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Company: Greencastle Solutions Ltd
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Leave Policy

1 Policy Objectives

This policy serves to regulate and explain the accumulation of various types of leave within the company, and the procedure for taking leave.

2 Application

This policy applies to all employees within the company.

3 General

- 3.1 This policy and procedure is subject to the provisions of the applicable legislation.
- 3.2 Leave is intended to provide all staff with the necessary time off to rest and spend quality time with family and friends.
- 3.3 Managers must plan leave for all staff under their control in such a manner that sufficient staff members are on duty at any given time i.e., not all staff can take leave at the same time.
- 3.4 The company closes over a period in December due to public holidays and closure of regular clients over the period resulting in a reduced workload. The company will indicate in advance the period of closure and the majority of employees will be required to take annual leave over that period.
- 3.5 The annual leave cycle of each employee commences on the first day of employment with the company and renews upon the anniversary date.

4 Annual Leave

- 4.1 An employee is entitled to 21 (twenty-one) consecutive days of leave per annum. This amounts to 15 (fifteen) working days of paid leave per annum which will accrue at a rate of 1,25 calendar days per month for an employee who works a five-day (5-day) week.
- 4.2 An employee is entitled to take leave accumulated in an annual leave cycle on consecutive days by prior written approval by the manager responsible for the business unit in which the employee is employed. Consent by the manager will be based on operational requirements.
- 4.3 An employee may only be granted annual leave equal to the number of days accrued to him/her.
- 4.4 Requests for annual leave must be made in writing on the company leave application form and after approval, be forwarded to the Human Resources (HR) department.
- 4.5 The company will not require an employee to work during any period of annual leave.
- 4.6 Annual leave may not run concurrently with any other period of leave or within a notice period.
- 4.7 Annual leave may not be exchanged for cash and will only be paid out on termination of the employee's employment with the company.

- 4.8 Annual leave must be taken within twelve (12) months of the end of the cycle in which it accumulates. Failure to take leave within this time will result in such leave being forfeited.

5 Unpaid Leave

- 5.1 Unpaid leave will not be granted to any employee who has annual leave due to him/her.
- 5.2 Unpaid leave will be granted at the discretion of the responsible manager and on completion of the company leave application form.
- 5.3 The relevant manager may grant a maximum of seven (7) days of unpaid leave in any calendar year.

6 Sick Leave

- 6.1 In this policy, "sick leave cycle" means the period of 36 (thirty-six) months of continued employment with the company immediately following:
- 6.1.1 An employee's commencement of employment; or
 - 6.1.2 The completion of that employee's prior sick leave cycle.
- 6.2 During every sick leave cycle, an employee is entitled to an amount of paid sick leave equal to the number of days that the employee would normally work during a six-week (6-week) period.
- 6.3 During the first six (6) months of employment, an employee is entitled to one (1) day's paid sick leave for every 26 (twenty-six) days worked. After this, the full leave entitlement becomes due.
- 6.4 During the first sick leave cycle, the employee's entitlement will be reduced by the number of days of sick leave taken during the first six (6) months of employment.
- 6.5 Sick leave to which an employee is entitled will be granted on full remuneration.
- 6.6 The company will not pay an employee who is absent for more than two (2) days, or one (1) day or more on more than two (2) occasions during a rolling eight-week (8-week) period, unless the employee produces a medical certificate on his/her return to work stating that he/she was unable to work for the duration of his/her absence from work. The employee is further required to produce a medical certificate should he/she be absent from work on a day following or preceding a weekend or public holiday.
- 6.7 A medical certificate must be issued and signed by a medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professional council established by an Act of Parliament. A medical certificate can be rejected at the discretion of the responsible manager.
- 6.8 Sick leave notification must be submitted on the company leave application form.
- 6.9 Sick leave application must be submitted to the manager on the day of the employee's return to work.

7 Shared Parental Leave (Includes Maternity Recovery)

7.1 Entitlement:

- 7.1.1 In compliance with the Constitutional Court's interim order (*Werner van Wyk and Others v Minister of Employment and Labour – ZACC 20 of 2025*), all parents – whether birth, adoptive, commissioning (surrogacy), or single parents – are entitled to a combined pool of four (4) months and ten (10) calendar days of unpaid parental leave per family unit.
- 7.1.2 A single parent or the only employed party in a parental relationship is entitled to the full four (4) months.
- 7.1.3 Couples share the leave pool and may take it concurrently, consecutively, or in a split arrangement as they agree.
- 7.1.4 For a non-birth father/party to a parental relationship to access leave, they must show that they have assumed parental rights/responsibilities under the Children's Act.
- 7.1.5 Fraudulent claims or misrepresentation will lead to disciplinary action (up to dismissal) and may be reported to the Unemployment Insurance Fund (UIF) or relevant authorities.

7.2 Mandatory recovery period for birth mothers:

- 7.2.1 Birth mothers must take a mandatory six-week (6-week) post-birth recovery period, as required by the Basic Conditions of Employment Act (BCEA). This period cannot be transferred to the other parent.
- 7.2.2 Additional pre- or post-birth leave may be taken by agreement within the shared leave pool.
- 7.2.3 If the birth mother has a miscarriage or stillbirth in the third trimester of pregnancy, she shall be entitled to six (6) weeks' parental leave.

7.3 Adoptive Parents:

- 7.3.1 The former BCEA age limit of a child being under the age of two (2) years has been declared unconstitutional. The company will continue to honour the full four (4) months and ten (10) days of leave for adoptive parents regardless of the child's age, unless and until Parliament prescribes a different rule, in which case this policy will be updated accordingly.

7.4 Commissioning Parents (Surrogacy):

- 7.4.1 Commissioning parents share the same four (4) months and ten (10) days leave pool, to be split per the parents' agreement.

7.5 Information regarding notice and documentation required for shared parental leave and/or where only one parent takes leave is as follows:

- 7.5.1 Employees applying for parental leave – whether sharing the leave with a partner or taking the full entitlement alone – must take note of the following:
 - 7.5.1.1. Employees must give at least one (1) month's written notice before the expected birth or placement; or as soon as reasonably practical in unforeseen circumstances.
 - 7.5.1.2. Applications made later than one (1) month before the expected birth date will only be accepted if there were unforeseen or emergency circumstances and proof will need to be submitted.
- 7.5.2 The parent must submit a completed Parental-Leave Application Form together with all supporting documents, including:
 - 7.5.2.1. A doctor's certificate indicating the expected due date (for birth parents).
 - 7.5.2.2. An adoption order or interim placement order (for adoptive parents).
 - 7.5.2.3. A court-approved surrogacy agreement (for commissioning parents).
 - 7.5.2.4. A child's birth certificate and an affidavit confirming assumption of parental rights/responsibilities under the Children's Act (for the non-birth parent or partner).
- 7.5.3 The following will happen in the case of the partner being employed by another employer:

- 7.5.3.1. Both parties to the parental relationship must apply to their respective employers at least one (1) month before the expected birth or placement date with the required documentation stated above.
- 7.5.3.2. Each HR department will issue a Conditional Approval Letter stating the intended leave dates and allocation, pending confirmation from the other employer.
- 7.5.3.3. The Conditional Approval Letter must include the full legal name of the issuing company, the full name and surname of the HR representative, manager or authorised signatory, their job title or position, contact telephone number and email address for verification, and must be signed by the HR representative or manager, or carry a valid digital signature on authenticated company letterhead or email to enable the other employer to verify its authenticity.
- 7.5.3.4. Once both parties to the parental relationship have received the conditional letters, each party must submit the other employer's conditional letter to their own HR department.
- 7.5.3.5. Each HR department will then verify the legitimacy of the other employer's letter using the contact details provided.
- 7.5.3.6. After verification and confirmation that the combined leave allocation does not exceed the shared 4 months + 10 days, each HR department will issue a Final Approval Letter confirming the approved leave dates.

7.6 Allocation of leave will be handled as follows:

- 7.6.1 Parties to a parental relationship must sign a Parental Leave Allocation Agreement confirming how the leave will be shared.
- 7.6.2 If no agreement is reached or submitted, the company will apply a default split between the parties as close as possible to the half of four (4) months and ten (10) days, which must be taken within four (4) months of the date of birth or placement of the child.
- 7.6.3 If one party claims the full four (4) months and ten (10) days of shared parental leave, the applicant must provide written confirmation that they are the sole parent utilising the full leave allocation, and that their partner (if any) will not apply for any portion of the shared leave with their own employer.
- 7.6.4 Confirmation of only one party claiming the full allocation must be in the form of a:
 - 7.6.4.1. A signed declaration by the other party, and
 - 7.6.4.2. An official letter or email from the party's employer confirming that no parental leave for this child has been approved or requested by the party. The letter or email must include the full legal name of the company, the full name and surname of the HR representative, manager or authorised signatory, their job title, and their email address.
 - 7.6.4.3.

8 Illness/Injury during Maternity, Parental, Adoption, and Commissioning Parental Leave

In general, should the employee fall ill (whether due to pregnancy complications or illness not connected with pregnancy) during maternity, parental, adoption, and commissioning parental leave, the illness shall be regarded as forming part of such leave and the leave shall not be extended. In other words, no sick leave can be taken in this period.

9 Family Responsibility Leave

- 9.1 Family responsibility leave applies to an employee who:
 - 9.1.1 Has been in employment with the company for longer than four (4) months; and
 - 9.1.2 Works for at least four (4) days per week.

- 9.2 Family responsibility leave will be granted during each annual leave cycle which the employee is entitled to take:
- 9.2.1 When the employee's child is sick; or
 - 9.2.2 In the event of the death of the employee's spouse or life partner, parent, adoptive parent, grandparent, child, adopted child, grandchild, or sibling.
- 9.3 The company will allow three (3) days' paid family responsibility leave per leave cycle to qualifying employees.
- 9.4 Family responsibility leave not taken during the leave cycle will lapse and may not be carried over to the next cycle.
- 9.5 Family responsibility leave will not be deducted from the employee's annual leave and will be granted at full remuneration.
- 9.6 The company leave application form must be completed by the applicant and approved by the responsible manager.

10 Study Leave

- 10.1 Any course in a field of study which is related to the company's work and that would benefit the employee's career with the company will be considered for study leave by the HR Manager and referred to the responsible manager for final approval.
- 10.2 Application for approval of a particular course for the purpose of study leave during a year must be submitted before the end of February of each year. No study leave will be approved during a year if the course has not been approved before February of that year.
- 10.3 If the responsible manager has approved the employee's course, the responsible manager in consultation with the HR Manager may approve study leave for a particular examination, subject to this policy. The employee must apply for study leave on the company leave form. A copy of the learning institution's examination schedule must accompany the submission of an application for study leave.
- 10.4 Leave shall, at the discretion of the HR Manager, be granted as follows:
- 10.4.1 The employee will be granted two (2) days' study leave for each examination paper to be written by the employee.
 - 10.4.2 Study leave will be granted on the day preceding the examination date and on the date of the examination.
 - 10.4.3 When two (2) examinations are to be written on the same day, the employee may be granted leave for the two (2) days before the examination date and one (1) day's leave on the date of the examination.
- 10.5 No employee will be granted more than ten (10) days' study leave in any calendar year without the prior approval of management.
- 10.6 Study leave will be granted on full remuneration and will not be deducted from the employee's annual leave.
- 10.7 Study leave may not be carried over from one calendar year to the next.

11 Leave Administration

11.1 Leave applications must be submitted to the branch manager or business unit manager:

11.1.1 Three (3) working days prior to the commencement of the leave in case of occasional leave.

11.1.2 One (1) month prior to the commencement of leave in case of annual leave. The manager may reduce the period of notice in consultation with the HR Manager.

11.2 In the case of leave which is not approved, the leave application will be returned to the employee who must also be informed of the reason for the decision.

11.3 If approved, the manager will forward the leave application to the HR department.

11.4 The Salaries Administrator will record the leave on the employee's record and reduce the employee's leave entitlement by the number of days taken.

11.5 The Salaries Administrator will file all applications for leave in the employee's personal file, which will be maintained for three (3) years from the date of the termination of the employee's employment with the company.

1 Audit

1.1 The Human Resources Manager will audit leave and report exceptions (such as excess leave due or a deficit in the number of leave days due) to management.

1.2 The Human Resources Manager may cause the number of leave days due to be altered to comply with legislation and this or other company policies.

2 Agreement and Compliance

It is the employee's responsibility to contact management should he/she have any queries.

I, _____ (name and employee number/ID number), hereby agree that I have read and understood the contents of this policy and agree to comply with the provisions herein.

Employee signature as receipt hereof	
Date	