



Public Holiday Work Policy

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1. Purpose and Scope

1.1 Purpose

This policy establishes the framework for managing work on South African public holidays within Greencastle Solutions (Pty) Ltd ("the Company"). The policy ensures legal compliance with the applicable laws referred to in Section 2.1, while enabling the Company to maintain service continuity for its UK-based client base who operate on different public holiday calendars.

1.2 Scope

This policy applies to all employees of the Company, including full-time, part-time, and fixed-term contract workers. It governs:

- Identification of public holidays requiring operational continuity
- Employee agreement and voluntary consent for public holiday work
- Compensation and remuneration for public holiday work
- Scheduling and rostering protocols
- Employee wellbeing and support measures
- Record-keeping and compliance procedures

1.3 Operating Context

The Company provides back-office solutions to clients in the United Kingdom and other markets. As these markets do not observe South African public holidays, the Company must maintain operational capacity on South African public holidays to fulfil client service level agreements and ensure business continuity. This policy balances operational necessity with employee rights and wellbeing.

2. Legal Framework and Compliance

2.1 Applicable Legislation

This policy operates within the following legal framework:

- Basic Conditions of Employment Act (BCEA), No. 9 of 1997 – Sections 16, 17, 18, and 20
- Public Holidays Act, No. 36 of 1994 – Definition and schedule of public holidays
- Labour Relations Act (LRA), No. 66 of 1995 – Employee rights and dispute resolution
- Employment Equity Act, No. 55 of 1998 – Non-discrimination and fair treatment
- Occupational Health and Safety Act (OHSA), No. 85 of 1993 – Workplace safety and wellbeing, each as amended from time to time.

2.2 **Seven South African Public Holidays**

The Company recognises the following 7 annual public holidays not aligned to UK Bank holidays:

- 2.2.1 Human Rights Day – 21 March
- 2.2.2 Freedom Day – 27 April
- 2.2.3 Workers' Day – 1 May
- 2.2.4 Youth Day – 16 June
- 2.2.5 National Women's Day – 9 August
- 2.2.6 Heritage Day – 24 September
- 2.2.7 Day of Reconciliation – 16 December

2.3 **Sunday and Weekend Adjustment**

When a public holiday falls on a Sunday, the following Monday becomes a public holiday. Employees who ordinarily work on both Sunday and Monday are entitled to public holiday benefits for one of the days unless otherwise arranged through agreement.

2.4 **Compliance Commitment**

The Company commits to full compliance with the BCEA and all applicable legislation. Non-compliance may result in:

- Enforcement action by the Department of Employment and Labour
- Penalties and fines
- Payment of compensation to affected employees
- Damage to employment relationships and the Company's reputation.

2.5 **UK Bank Holidays**

The Company shall be entitled, but not be obliged, to observe official UK Bank Holidays (that do not coincide with the South African public holidays listed in Section 2.2).

3. **IDENTIFICATION OF OPERATIONAL REQUIREMENTS**

3.1 **Public Holidays Requiring Operational Continuity**

Due to the nature of the Company's business and client obligations, the Company requires operational capacity on the following public holidays:

- All South African public holidays listed in Section 2.2

Rationale: The Company's UK-based clients operate on UK public holiday calendars, which differ significantly from the South African calendar. Client service level

agreements require the Company to maintain operations including call centre operations, customer support, and back-office functions on South African public holidays to ensure uninterrupted service delivery.

3.2 **Business Impact Assessment**

The Company has conducted a business impact assessment confirming:

- Client service levels require normal staffing on all South African public holidays
- No alternative operational model can meet contractual obligations without public holiday staffing
- Operational continuity directly supports the Company's viability and employment security
- The nature of operations, including call centre operations (time-zone coverage), necessitates 24/7 capability

3.3 **Policy Review**

As operational requirements may change due to client needs, market conditions, or technological advancement, the Company reserves the right to review this policy. Any material change to this policy will be communicated to employees with 30 days' written notice and in consultation with employee representatives where applicable.

4. **EMPLOYEE VOLUNTARY AGREEMENT AND CONSENT**

4.1 **Fundamental Principle**

No employee may be compelled to work on a public holiday unless the employee has agreed thereto.

4.2 **Agreement Process**

4.2.1 Initial Employment Contract

Employees joining the Company after the effective date of this policy, will receive a clear employment contract that includes a provision regarding public holiday work. The contract shall state:

- The Company operates on public holidays due to business requirements
- Compensation for agreed public holiday work will be in accordance with this policy and the BCEA
- Agreeing to public holiday work in the contract does not waive their right to refuse specific public holiday work requests

4.2.2 Annual Consent Confirmation

The Company shall from time to time circulate a form requesting employees to confirm their willingness to work on public holidays during the upcoming year. This form shall:

- Clearly explain the voluntary nature of public holiday work
- Outline compensation and benefits
- Be signed and dated by both the employee and the Company's management
- Be retained on the employee's personnel file
- Constitute a valid amendment to the employee's employment contract

4.3 **Objections and Refusal to Work**

- Employees will not be subjected to disciplinary action or any unfair or discriminatory treatment merely for raising concerns on a particular public holiday.
- Reasonable, bona fide objections (for example based on religion, health or compelling family responsibilities) will be considered in good faith and, where possible, accommodated through annual leave or alternative arrangements.
- Where an employee has agreed, in his/her contract or otherwise, that public holiday work is a requirement of his/her role, and a public holiday shift is rostered and communicated in accordance with this policy, a refusal to work without adequate justification may constitute insubordination or misconduct and may lead to disciplinary action, up to and including dismissal, following a fair procedure.
- In exceptional cases where an employee is, on an ongoing basis, unwilling to perform public holiday work that is essential to the viability of his/her role, the Company may consider restructuring and termination for operational requirements, subject to full compliance with section 189 of the LRA.

5. **COMPENSATION AND REMUNERATION**

5.1 **Statutory Minimum Compensation (BCEA Compliance)**

All employees who work on a public holiday are entitled to compensation in accordance with Section 18 of the BCEA, as follows:

5.1.1 Public Holiday Falls on Normal Working Day

If a public holiday falls on a day the employee would normally work, the employee is entitled to whichever is greater:

- Double their normal daily wage, OR
- Their normal daily wage plus the actual wage earned for time worked on the public holiday

Example: Employee with daily rate of R500 works a 10-hour shift on a public holiday (normal shift day). Normal wage = R500. Earned wage (10 hours at R50/hour) = R500. Greater amount = R500 + R500 = R1,000. Employee receives

R1,000 (double pay).

5.1.2 Public Holiday Falls on Non-Working Day

If a public holiday falls on a day the employee would not normally work, but the employee agrees to work, they are entitled to:

- Their normal daily wage PLUS the actual wage earned for time worked on that day

Example: Employee with daily rate of R500 (works Monday-Friday) is requested to work Christmas Day (Sunday). Employee receives normal wage (R500) + earned wage for work performed.

5.2 **Pay Frequency and Timing**

Public holiday compensation shall be processed through normal payroll and paid on the employee's regular payday for the pay period in which the public holiday work occurred.

5.3 **Calculation of Daily Rate**

For purposes of public holiday compensation calculation:

- **Daily rate** = (Monthly salary ÷ 21.75 working days) for salaried employees
- **Hourly rate** = (Monthly salary ÷ [21.75 × hours per day]) for hourly employees
- **Actual hours worked** on the public holiday are calculated at the employee's normal hourly rate
- Overtime rates do not apply to public holiday work; only the standard hourly rate applies

5.4 **Exclusions and Clarifications**

Public holiday compensation does NOT include:

- Bonuses, commissions, or performance incentives (unless specifically written into the employment contract)
- Benefits such as medical aid contributions or pension fund contributions (these continue as normal)
- Allowances (housing, travel, etc.) – these are paid separately and continue as normal

6. **EMPLOYEE WELLBEING AND SUPPORT MEASURES**

6.1 **Commitment to Employee Wellbeing**

The Company acknowledges that working on public holidays impacts work-life balance, family relationships, and employee wellbeing. The Company is committed to supporting employees who work public holidays through practical measures and recognition

6.2 **Support**

6.2.1 Operational Support

- Adequate staffing levels shall be maintained to prevent excessive workload
- One manager/supervisor shall be present or on-call during each public holiday shift
- Call escalation procedures and decision-making authority must be clear
- Employees shall be empowered to make decisions within their authority without excessive approval requirements

6.2.2 Nutrition and Refreshment

- Complimentary refreshments (coffee, tea, water) shall be provided
- Employees shall be entitled to regular meal breaks as per standard shifts
- If meal facilities are closed on public holidays, the Company shall arrange alternative catering
- Employees may bring personal food items and use kitchen facilities

6.2.3 Work Environment

- Work areas shall be maintained at comfortable temperature and lighting levels
- Noise levels shall be kept reasonable
- Seating and ergonomic support shall meet standard workplace safety requirements
- Sanitation and hygiene facilities shall be maintained

7. **SPECIAL CIRCUMSTANCES AND EXCEPTIONS**

7.1 **Illness or Injury**

7.1.1 Inability to Work

If an employee becomes ill or injured and cannot work an agreed public holiday shift:

- Employee should notify their manager as soon as possible (ideally 24 hours in advance)
- A medical certificate shall be requested only if the employee is unable to work for more than 2 consecutive days
- The employee shall not be penalised for absence due to genuine illness or injury

- The Company shall attempt to arrange alternative coverage but shall not require the employee to work if unfit

7.1.2 Sick Leave Entitlement

Public holiday work does not affect sick leave entitlements. Employees continue to accrue and may utilise sick leave independently of public holiday work arrangements.

7.2 **Family or Personal Emergency**

If a genuine family or personal emergency arises that prevents an employee from working an agreed public holiday shift, then:

- The employee should notify his/her manager as soon as possible
- The Company shall seek to understand the nature of the emergency with empathy
- The emergency shall be assessed as legitimate or not based on reasonableness
- The employee shall not be disciplined for refusing to work due to a genuine emergency
- The Company may request a brief explanation but shall not demand excessive documentation

7.3 **Religious Observances**

The Company recognises the importance of religious freedom and observance:

- Employees may request exemption from public holiday work on days of religious significance to them, even if not on the official public holiday calendar
- Such requests should be made in advance where possible
- Religious observances of employees shall be accommodated where operationally feasible
- Employees seeking religious exemption shall be given priority to refuse public holiday work
- This applies to all faiths and belief systems recognised in the Employment Equity Act

7.4 **Pregnancy and Parental Considerations**

7.4.1 Pregnant Employees

- Pregnant employees shall not be required to work demanding public holiday shifts, particularly night shifts or shifts involving prolonged standing
- Pregnant employees may request modified duties or lighter workload on public holidays

- Such requests shall be accommodated where operationally feasible
- Medical certificates may be requested to support modified duty requests

7.4.2 New Parents

- Employees on parental leave or with young children may have priority to refuse public holiday work
- Employees with childcare responsibilities may request public holiday shifts that align with childcare availability
- The Company shall show flexibility in accommodating parental needs

7.5 **Disabilities and Workplace Adjustments**

Employees with disabilities shall not be disadvantaged in public holiday work arrangements:

- Reasonable workplace adjustments must be maintained on public holidays
- Employees requiring modifications shall receive them without additional cost
- Where public holiday work cannot be accommodated with necessary adjustments, the employee may be exempted
- All decisions shall comply with Employment Equity Act principles

8. **RECORD KEEPING AND COMPLIANCE DOCUMENTATION**

8.1 **Personnel File Records**

The Company shall maintain comprehensive records for each employee regarding public holiday work:

8.1.1 Initial Consent

- Employment contract with public holiday work clause
- Annual consent confirmation forms (signed)
- Any consent withdrawal notices
- Correspondence regarding changes to public holiday work availability

8.1.2 Compensation Records

- Calculation details (daily rate, hours worked, applicable premiums)
- Payment date and amount
- Proof of payment (payslip confirmation)
- TOIL agreement if applicable

- Any disputes or queries regarding compensation

8.2 **Payroll Documentation**

8.2.1 Processing Requirements

- Public holiday work must be coded separately in the payroll system for audit and compliance purposes
- Premium calculations must be documented and reconciled
- All BCEA compensation requirements must be verified before payment
- Payment must be processed within 2 working days of the pay date

8.2.2 Payslip Details

Employee payslips shall clearly indicate:

- Public holiday work dates and hours
- Applicable rates (standard rate vs. premium rate)
- Compensation breakdown (base compensation + premiums)
- Net amount paid

8.3 **Confidential Records**

The following records shall be maintained confidentially:

- Employee medical certificates or health-related requests for exemption
- Religious observance requests
- Family emergency circumstances
- Personal information related to emergency situations
- Disability or reasonable accommodation documentation

Access to these records shall be limited to HR personnel and relevant managers on a need-to-know basis, in compliance with the Protection of Personal Information Act (POPIA).

8.4 **Compliance Audits**

The Company shall conduct regular and intermittent compliance reviews to verify that all public holiday compensation meets BCEA minimums

8.5 **Record Retention**

- All public holiday work documentation shall be retained for a minimum of 5 years

- Personnel files shall be retained for 3 years after employment termination
- Payroll records shall comply with accounting and tax requirements (7 years minimum)
- Records shall be stored securely and protected against unauthorised access

9. **DISPUTE RESOLUTION AND GRIEVANCE PROCEDURES**

9.1 **Informal Resolution (First Step)**

If an employee believes they have not been treated fairly regarding public holiday work or compensation:

9.1.1 Raising Concerns

- Employee should first discuss concerns with their direct manager
- Discussion should occur within 5 working days of the issue arising
- The manager shall listen without prejudgment and seek to understand the employee's concern
- The manager shall explain the relevant policy provision and reasoning

9.1.2 Informal Resolution Outcome

If the manager and employee cannot resolve the issue informally:

- Employee shall be directed to HR for formal resolution
- No record of disciplinary action shall be created for raising concerns
- Good faith efforts to resolve the matter shall be documented

9.2 **Formal Grievance Procedure (Second Step)**

If informal resolution is unsuccessful or inappropriate:

9.2.1 Formal Grievance Submission

- Employee submits a written grievance to the HR Manager
- Grievance should include: date of issue, description of concern, policy provision allegedly violated, and remedy sought
- Submission deadline: Within 10 working days of the event giving rise to the grievance

9.2.2 Grievance Hearing

- HR shall arrange a hearing within 10 working days
- Employee may be accompanied by a support person (colleague, union representative, or advisor)

- A neutral HR manager or external facilitator shall conduct the hearing
- All parties shall have opportunity to present their case and provide evidence
- The hearing shall be documented with minutes and outcomes

9.2.3 Grievance Decision

9.2.3.1 HR shall provide a written decision within 5 working days of the hearing

9.2.3.2 Decision shall include: findings of fact, policy analysis, and remedy if upheld

9.2.3.3 If grievance is upheld, appropriate remedies may include:

- Back payment of compensation
- Corrected compensation calculation
- Modified scheduling or scheduling preferences
- Written apology
- Commitment to policy compliance improvement

9.3 **Escalation to External Resolution**

If either party believes the formal grievance was not fairly handled:

9.3.1 CCMA or Bargaining Council

- The matter may be referred to the Commission for Conciliation, Mediation and Arbitration (CCMA) or relevant Bargaining Council
- External mediation and arbitration are available at no cost to employees
- Both parties may submit written submissions and evidence
- An independent arbitrator shall determine the matter

9.3.2 Department of Employment and Labour

- If the grievance relates to non-compliance with BCEA, the matter may be reported to the Department of Employment and Labour
- The Department may conduct investigations and require remedial action
- This pathway is available to employees who believe there is systematic non-compliance

9.4 **Protection Against Retaliation**

9.4.1 Employees who raise concerns about public holiday work practices, file grievances, or participate in dispute resolution procedures shall be protected against:

- Retaliation or victimisation
- Disciplinary action
- Reduced hours or shifts
- Negative performance reviews
- Threats of termination
- Any adverse treatment

9.4.2 Any manager engaging in retaliation shall be subject to disciplinary action up to and including dismissal.

9.5 Version Control

VERSION	DATE EFFECTIVE	DESCRIPTION OF CHANGE	APPROVED BY
1.0	1 January 2026	Policy creation and implementation	Executive Management

10. CONTACT AND SUPPORT INFORMATION

10.1 Policy Questions and Clarification

Employees with questions about this policy should contact:

Human Resources Department

Greencastle Solutions (Pty) Ltd

Cradock Square, 169 Oxford Road

Rosebank, Johannesburg

South Africa

Email: humanresources@greencastlesolutions.co.uk

Hours: Monday to Friday, 08:00 – 17:00 UK TIME

10.2 Grievance or Concerns

For grievances or concerns:

HR Manager

Email: humanresources@greencastlesolutions.co.uk

Formal submission available through HR office

10.3 Additional Resources

- **BCEA Text:** www.gov.za (Labour Legislation)
- **Department of Employment and Labour:** www.labour.gov.za
- **CCMA (Dispute Resolution):** www.ccma.org.za
- **Employee Assistance Program:** humanresources@greencastlesolutions.co.uk

11. EXECUTIVE APPROVAL AND AUTHORITY

This policy has been reviewed and approved by Executive Management of the Company and becomes effective as of 1 January 2026.

Approved for and on behalf of the Company by:

Chief Executive Officer: _____

Signature: _____

Date: _____

HR Manager: _____

Signature: _____

Date: _____