

Fred's Forklift Leave & Retirement Policy



1. Purpose

Fred's Forklift and Plant Hire CC (Fred's) establishes common and uniform conditions of service in so far as leave for employees and retirement age. This Leave and Retirement policy replace any previous leave policies or practices which may have been in place previously.

2. Leave and Retirement Age Policy Principles

2.1 Scope

- Annual Leave
- Sick Leave
- Maternity Leave
- Family Responsibility Leave
- Leave without Pay

- Retirement Age & Fred's Member(s) Discretion

2.2 Policy Definitions:

- All expressions used in this policy which are defined in the Labour Relations Act 66 of 1995 and as amended, shall bear the same meaning as in the act unless the contrary intention appears.
- Words importing the masculine gender shall include the feminine.
- All references to days shall be to working days.
- An annual leave cycle means twelve (12) months of employment with the same employer immediately following an employee's commencement of employment or following the completion of that employee's existing leave cycle.
- Medical practitioners shall mean all practitioners as defined by the Health Professionals Council of South Africa (Medical and Dental Practitioners)

2.3 Hours of Work:

- All of Fred's employees are required to work a minimum forty-five (45) hour working week.

2.4 Annual Leave:

- In this policy, "annual leave cycle" means 12 months' employment immediately following an employee's commencement of employment, or the completion of that employee's prior leave cycle.
- Fred's Employees are entitled to at least:
- Fifteen days (15) for both salaried and wage employees
- Fred's Employees are required to take leave within each leave cycle as follows:

Fred's Forklift

Leave & Retirement Policy



- Fred's Staff shall take a minimum of 10 days' leave within a one-year leave cycle
- Leave accrued shall be determined at the rate of pay for that leave cycle
- Fred's staff shall either take or encash such leave within two (2) years with the approval of a Fred's Member(s)
- Fred's staff is entitled to retain a maximum of ten (10) days of accrued leave.
- Fred's member(s) may implement mandatory leave days during December months based on their discretion when Fred's offices close for the Festive period.
- Any leave above ten (10) days may be encashed should the staff member be unable to take such leave because of operational requirements, despite being allowed to take leave, an employee refuses or neglects to take the remaining leave due to him during this period, such remaining leave shall fall away.
- In the event of the termination of service, Fred's employee shall be paid his leave entitlement calculated in terms of the relevant provisions of the Basic Condition of Employment Act, 1997 and as amended.
- Employee entitlement to annual leave will be reduced by the number of days of occasional leave on full remuneration granted to the employee at the employee's request in that leave cycle and based on the approval of the leave request by a Fred's Member(s).
- An employee is entitled to an additional day of paid leave if a public holiday falls on a day during an employee's annual leave on which the employee would ordinarily have worked.
- An employee is entitled to take leave accumulated in an annual leave cycle on consecutive days.
- An employee's entitlement to annual leave will be reduced by the number of days of occasional leave on full remuneration granted to the employee at the employee's request in that leave cycle.
- Employees may not work for any other employer during any period of annual leave, and "moonlight" work is not permitted while in employment at Fred's.

2.5 Pay for Annual Leave:

- An Employee will be paid leave pay before the beginning of the period of leave, or by agreement or on the employee's usual payday.
- Applications for leave must be in writing on Fred's Leave Application form, which must be authorised by a Fred's Member. Once the Leave application form is authorised, the form must be provided to the Accounting Administration department for processing and thereafter placed on the employee's file. The Duplicate must be returned to the employee.



- Annual leave will not coincide with sick leave. Where an employee falls sick during the annual leave period this will not constitute sick leave nor should these sick days be credited to the employee's sick leave balance.
- Leave paid out on termination of service will be calculated based on the employee's final salary. Where an employee's salary has previously been reduced, leave pay will be calculated on a pro-rata basis at different rates of pay.

2.6 Sick Leave:

- Sick leave is applied as 30 days in every three-year cycle. Should Fred's employee utilise all his available sick leave at the beginning of the three-year cycle, then no more sick leave will be granted to the employee and therefore the leave will be deducted from Annual Leave or taken as unpaid leave if no annual leave remains.
- Payment for sick leave is calculated at the employee's normal wage rate or normal salary.
- Application for sick leave must be in writing on Fred's Leave Application form, which must be authorised by a Fred's Member. Once the sick leave application form is authorised, the form must be provided to the Accounting Administration department for processing and thereafter placed on the employee's file. The Duplicate must be returned to the employee.
- Fred's Members may insist on a sick note provided by a registered Medical or Dental practitioner irrespective of the number of days the employee is sick. Standard practice includes obtaining a sick note for two or more sick days, but where one day of sick days is abused, a medical note will be insisted on.

2.7 Family Responsibility Leave:

- Fred's employees who have been in employment for more than four (4) months are entitled to three (3) days of Family Responsibility Leave on full pay, per annum.
- Family Responsibility Leave in addition to any other leave entitlement and any unused portion lapses at the end of each year and is not cumulative.
- Family Responsibility Leave can be applied for at Fred's when the employee's child is born, when the employee's child is sick, or in the event of the death of the employee's spouse or life partner, or the employee's parent, adoptive parent, grandparent, child, adopted child, grandchild, or sibling. [In terms of the definition of a child, it means a person who is under 18 years of age.]

Fred's Forklift Leave & Retirement Policy



- Fred's may take Family Responsibility Leave as a part of a day or a whole day. Fred's Member(s) are entitled to demand proof of the event in respect of which the Family Responsibility Leave is requested, such as a death certificate, or a medical certificate issued by the hospital or registered medical or dental practitioner.
- Per the Basic Conditions of Employment Act – Fred's does not have to grant Family Responsibility leave for the following circumstances:
 - The Basic Conditions of Employment Act does not refer to in-laws under Family Responsibility Leave. Annual Leave will be considered in these events.
 - Fred's does not provide Family Responsibility Leave if the employee's childminder is sick
 - Family Responsibility Leave does not apply to employees who work for Fred's for less than four days per week.
 - A Fred's member granting Family Responsibility leave in terms of the act may require reasonable proof.
 - Unused Family Responsibility Leave entitlement lapses at the end of each annual cycle.
- Application for Family Responsibility Leave must be in writing on Fred's Leave Application form, which must be authorised by a Fred's Member. Once the leave application form is authorised, the form must be provided to the Accounting Administration department for processing and thereafter placed on the employee's file. The Duplicate must be returned to the employee.

3. Responsibilities of Fred's Staff while on Leave

This policy applies to employees who have obtained approval from a Fred's Member for leave

- Code of Conduct and Company Policy: Staff will comply with Fred's code of conduct and may not place the good name of Fred's in disrepute or harass other staff members or vendors when on leave.
- Vehicles provided by Fred's: The Freds vehicles provided shall be kept in a safe and secure location and:
 - be maintained at all times; and/or
 - remain unaltered in respect of its condition and/or appearance; and/or
 - at all times be returned in the same condition as it was received; and/or
 - prevent excess kilometres from being added to Fred's vehicle where Staff are on leave.Where long journeys are planned with Fred's vehicle(s) the express permission and approval of Fred's member is required. Diesel / Petrol for long journeys will be for the account of the

Fred's Forklift

Leave & Retirement Policy



employee in the event of approved trips. (This practice is however discouraged, and Fred's staff should utilise their own/personal vehicles for holiday destinations or long trips.)

- Confidentiality and/or protection of Company information: Property in the form of soft- and/or hard copies should not be made accessible and/or brought within the reach and/or grasp of unknown third parties and/or must be safeguarded at all material times while Fred's Staff is on leave.

4. Retirement Age at Fred's

- The Official Retirement Age set by Fred's Member(s) is Sixty-Two Years (62)
- Fred's Employee Employment Contract will specify the retirement age as Sixty-Two (62)
- Fred's Member(s) have the discretion to extend an employee's employment contract based on Operational Requirements. This is done at the sole discretion of Fred's members and is not a guarantee of extended work past the age of Sixty-Two (62)
- Fred's can therefore fairly terminate the services of an employee at any stage after the retirement age has been reached.
- Section 187(2)b of the Labour Relations Act affords Fred's the right as the employer to dismiss an employee based on age at any time after the employee has reached retirement age.

5. Compliance with disciplinary code and policies and disciplinary action

- Fred's disciplinary code and disciplinary measures and procedures remain applicable to employees while on leave.
- The employee acknowledges and/or agrees that the employer reserves the right to discipline the employee for all and/or any transgression of the disciplinary code, including the additional considerations above, irrespective of whether such disciplinary action is written, a verbal warning or is deferred to a hearing.

6. Document Control

- 3 January 2023 - Policy Review and Approved by Fred's Member(s)