

14 November 2022

To: All Civil Engineering Firms/Employers

Leave Pay and Year-End Bonus

All employees are entitled to their full leave pay and bonus on completion of 235 “working days” worked on a five-day week basis or 283 “working days” on a six-day week basis, excluding overtime.

Summary of Annual Leave Calculation

Employees with less than 5 years’ service, who have been employed for longer than 4 months and who have completed a period of 12 months of employment shall qualify for 15 days paid leave accumulated at 1,25 days per month.

Employees with more than 5 years continuous employment, who have completed a period of 12 months of employment, shall qualify for 18 days paid leave accumulated at 1,5 days per month.

(It must be noted that an employer must grant an employee 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.)

Please note that whenever any public holiday falls on a Sunday, the following Monday shall be a public holiday. However, the 2022 Christmas Day public holiday falls on a Sunday which in terms of the above statement would ordinarily be a paid public holiday on Monday the following day, but Monday, 26th December being the “Day of Goodwill” is a paid public holiday already, therefore, Tuesday, 27th may be declared a public holiday by proclamation of the President of the Republic of South Africa.

Calculation of leave pay for a five (5) day work week:

Normal daily rate (excluding allowances & overtime)	X	15 days / 18 days	X	Number of days worked	÷	235 days per annum (5-day worker)
		Where employee is entitled to additional leave				

Calculation of leave pay for a Six (6) day work week:

Normal daily rate (excluding allowances & overtime)	X	1. 15 days / 2. 18 days	X	Number of days worked	÷	283 days (6-day worker)
		where employee is entitled to additional leave				

Calculation of Year-End Bonus

An employer must pay an employee a year-end bonus of twenty (20) working days' pay.

Where existing agreements provide for bonuses in excess of the 20 working days, such existing agreements shall prevail. (Please see 6.7.2 of the Conditions of Employment Collective Agreement).

1. An employee who is employed in a year in which a bonus amount is to be paid and who has been continuously employed for at least three (3) months, but for less than one full year, shall be entitled to a pro-rata bonus payment; and
2. LDC employees whose contracts are terminated before December of that year are entitled to a pro-rata bonus.

3. An employee whose employment is terminated through no fault of his or her own, through retrenchment, retirement, disability, or death, shall be entitled to a pro-rata bonus payment.
4. No bonus payment shall be made to employees whose employment was terminated by reason of misconduct.
5. Year-end bonus will not accrue to an employee for any unauthorised absence.
6. Calculation of accrual reduction upon unauthorised absenteeism – (Example: an employee is absent without authorisation for 5 days and works 9 ordinary hours on 5 days per week:
 - a) 5 days x 9 hours = 45 hours
 - b) bonus: (235 working days x 9 hours) = 2115 total hours
 - c) bonus accrual factor: 180 hours / 2115 total hours = 0.085 (bonus accrual per hour worked)
 - d) 45 hours (see clause 6.7.7(a)) x 0.085 (accrual factor) = 3.825 hours
 - e) Task Grade 1: R44.79 x 3.825 hours = R171,32 (bonus reduction amount)

Pro-rata year-end bonus is calculated as follows:

20 days x 9 hours x rate per hour x calendar days worked (excluding overtime) ÷ 235 for 5-day worker or 283 for a 6-day worker.

Please contact the offices of the BCCEI on (011) 450 4966/63 should you need further clarity on the above.

Exemptions

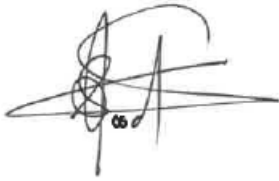
Should you be unable to meet any of the obligations contained in the respective BCCEI Collective Agreements, you are reminded of your right to apply for exemption. Also, please remember your right to apply for condonation should you not have submitted your exemption application in time. Employers must ensure that they comply with the requirements set out in the Exemptions Collective Agreement and attach all necessary documents.

Please note that an omission to complete the application in full or not attaching the required documentation may result in the application being rejected.

Please note Your exemption application must be sent to:
exemptionsapplications@bccei.co.za

Appeal applications must be sent to:
appealapplications@bccei.co.za.

Kind Regards

A handwritten signature in black ink, appearing to be 'KM', with a small circular mark below it.

Kevin Moodley
Acting General Secretary

