

1Application Family Responsibility Leave

The Basic Conditions of Employment Act applies to all **employers** and **workers**, but not -

- members of the -
 - o National Defense Force,
 - o National Intelligence Agency, or
 - o South African Secret Service; or
- unpaid volunteers working for charity.

The section of the Act that regulate **working hours** does not apply to:

- workers in senior management
- sales staff who travel and regulate their own working hours
- workers who work less than 24 hours in a month
- workers who earn in excess of an amount stated in terms of section 6 (3) of the Act
 - o workers engaged in emergency work are excluded from certain provisions.
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- Applies to all employers and workers and regulates leave, working hours, employment contracts, deductions, pay slips, and termination

Workers Excluded from Family Responsibility Leave

The provisions for family responsibility leave do not apply to workers who work less than -

- 4 months for their employer
- 4 days a week for one employer
- 24 hours a month, or to
- leave over and above that provided for by the Act.

Number of Leave Days

Full time workers may take 3 days of paid family responsibility leave during each annual leave cycle (12-month periods from date of employment). Family responsibility leave expires at the end of the annual cycle.

Reasons for Leave

You may take family responsibility leave:

- when your child is born
- when your child is sick
- in the event of the death of your
 - o spouse or life partner
 - o parent or adoptive parent
 - o grandparent
 - o child or adopted child
 - o grandchild
 - o sibling.

Proof

Employers may require reasonable proof of the birth, illness or death for which a worker requests leave.