



Province of the  
**EASTERN CAPE**  
EDUCATION

**HUMAN RESOURCE ADMINISTRATION**

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**INTERNAL MEMORANDUM**

Compiler	Tel. number	File number
Q Luthuli	040 608 4228	
<b>To:</b>	<b>OFFICE OF THE MEC DEPUTY DIRECTORS GENERAL ALL CHIEF DIRECTORS ALL DIRECTORS ALL DEPUTY DIRECTOR-HRA&amp;P ALL DEPUTY DIRECTOR- FINANCE</b>	
<b>FROM:</b>	<b>SUPERINTENDENT GENERAL</b>	
<b>SUBJECT:</b>	<b>INTERPRETATION AND APPLICATION OF PSCBC RESOLUTION 7 OF 2000 &amp; ELRC COLLECTIVE AGREEMENT 7 OF 2001 IN RESPECT OF AUDITING OF CAPPED LEAVE AND PROCESSING LEAVE GRATUITIES.</b>	

1. The Department has issued numerous directives on the interpretation and application of PSCBC Resolution 7 of 2000 and ELRC collective agreement 7 of 2001 in particular clause 7.3 ( b ) “ *where there are no records an audit shall be conducted by the employer in order to determine whether there are periods which are audited or unaudited. Should there be a period which is not audited and period which is audited then the leave payout shall be paid on the basis of 6 days per completed year of service up to maximum of 100 days for unaudited period plus the value of audited leave*”
2. **Department of Public Service and Administration issued a guiding document on how auditing of leave accrued prior to 01 July 2000 must be undertaken by all government Departments. According to the DPSA document Departments were directed on how to deal with periods of uncertainty and periods of no records where the following steps are prescribed:**

- a. Thorough investigation must be undertaken to establish facts, this may include but not limited to communicating with supervisor of the employee, obtaining written affidavits from the employee to establish if the employee has taken leave or not during the period of uncertainty.
- b. Analyze leave trends of the employee. Noting that in the past employees were allowed to utilize their accumulated leave working backwards provided that, they have accumulated sufficient number of leave credits e.g. "an educator who was appointed on the 1 January 1983 and did not take leave for almost 10 years. On his/her 11<sup>th</sup> year applies for study leave for six months, this educator was normally granted permission on the ground that, she/he has accumulated 120 credits which is equivalent to three consecutive months and employer would grant 120 days as special leave and noting past practices.
- c. In the event investigation reveal that, there are no records then employee will be granted 6 day per completed year to the maximum of hundred days

3. **This directive replaces all existing memorandum and circulars in respect of the application and interpretation of PSCBC resolution 7 of 2000.**

4. Should you require additional information please do not hesitate to contact Ms R Pendrigh / Ms X Norman at 040 608 4616/4538 alternatively by e-mail at [rosalind.pendrigh@ecdoe.gov.za](mailto:rosalind.pendrigh@ecdoe.gov.za) or [xoliswa.norman@ecdoe.gov.za](mailto:xoliswa.norman@ecdoe.gov.za)

5. Your co-operation in this regard will be much appreciated.

6. Yours in quality Education.

  
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MR TS KOJANA  
HEAD OF DEPARTMENT: EASTERN CAPE EDUCATION

08/10/2019  
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DATE