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Department:
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REPUBLIC OF SOUTH AFRICA



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Basic Guide to Sick Leave

Workers may take the number of days they would normally work in a 6-week period for sick leave on full pay in a 3-year period. Employers may insist on proof of illness before paying a worker for sick leave.

Application

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

- members of the -
 - National Defence Force,
 - National Intelligence Agency, or
 - 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
 - workers engaged in emergency work are excluded from certain provisions.

See

- Basic Conditions of Employment Act

Applies to all employers and workers and regulates leave, working hours, employment contracts, deductions, pay slips, and termination

Application for Sick Leave

The provisions for sick leave do not apply to -

- workers who work less than 24 hours a month
- workers who receive compensation for an occupational injury or disease
- leave over and above that provided for by the Act.

Number of sick days

Workers may take the number of days they would normally work in a 6-week period for sick leave on full pay in a 3-year period.

However, during the first 6 months of employment, workers are only entitled to 1 day of paid sick leave for every 26 days worked.

Based on Legislation in Section 22, of the Basic Conditions of Employment Act

Proof of Illness

An employer may require a medical certificate before paying workers who are absent for more than 2 consecutive days, or who are often absent (more than twice in an 8-week period).

Based on Legislation in Section 23, of the Basic Conditions of Employment Act

Related Links

- [Basic Guide to Annual Leave](#)
Rules for annual leave as prescribed by the Basic Conditions of Employment Act
- [Basic Guide to Family Responsibility Leave](#)
Under the Basic Conditions of Employment Act, workers may take paid leave to attend to certain family situations
- [Basic Guide to Maternity Leave](#)
The Basic Conditions of Employment Act gives pregnant workers the right to take maternity leave
- [How To Claim from the Compensation Fund if you are a Worker](#)
All workers must report all accidents or disease to their employers immediately, and submit forms from their doctor.