

Date: 24 August 2018

Time: 14:00

Place: Participant's Office

Participant: There's already something wrong with the first sentence...

Interviewer: Mmm

Participant: cause it says all permanent employees are entitled to number of working days leave a year...

Interviewer: Mmm

Participant: It should say *per* year.

Interviewer: Ok

Participant: To make it more...

Interviewer: Mmm

Participant: (reading softly)

Interviewer: That narrative way that they're organising the post level and the working days... your leave days...

Participant: Mmm it's not as eh... as concise and clear as possible...

Interviewer: Mmm

Participant: It could have been in a table...

Interviewer: Mmm, so that it catches your eye a little bit easier ja...

Participant: Yes

Interviewer: and then you see immediately what categories get what leave.

Participant: Mmm so that could've been in a table instead of being in that narrative way and then with all the comas and stuff...

Interviewer: Mmm

Participant: the coma separates the categories...

Interviewer: Mmm

Participant: now you have to try and look... and see ok ehrrm... *what* days pertains to you cause now they're saying 30 working days a year for post levels 1 to 8. 25 working days a year for post level 9-11 and so it's not actually nice.

Interviewer: Not a nice read? Ok

Participant: And when they say again subject to the following conditions...

Interviewer: Mmm

Participant: So that whole sentence there that sentence structure is very... bulky... because now they still hyphenated it, and then they say *all* of this is applicable now you have to look at which categories are applicable to you and *then* its subject to 3.1.a,b,c,d...

Interviewer: Mmm... ok. All right.

Participant: (reading silently) Ja that also is very unclear... 3.3.1 (reading aloud) the leave credit in a particular leave cycle increases pro rata over a time to reach the maximum at the end of the leave cycle. If I wasn't (**I omitted sensitive detail**) I wouldn't know what they're talking about.

Interviewer: Mmm

Participant: But I know what they're talking about. So what they mean there is that your pro rata leave...

Interviewer: Mmm

Participant: So the amount you accumulate per month that add... so you accumulate leave per month and at the *end* of the year you'll get your *full* leave ehrrm... *entitlement*.

Interviewer: Mmm. The word credit there, how do you feel about that word there?

Participant: That's not a good word to put there. It should've been... ehrrm... leave is *allocated*...

Interviewer: Mmm

Participant: something like that. Leave is allocated on a pro rata basis and you'll get your full leave entitlement at the end of the year.

Interviewer: Ok, instead of cycle...

Participant: That would have been... more... cause now your thinking is there a longer term cycle? The cycle only lasts for a year... cause they say here per year.

Interviewer: Mmm

Participant: Now they're using cycle there and they're using year at the end.

Interviewer: Oh so it's not consistent.

Participant: Not consistent.

Interviewer: Mmm

Participant: Where they could've said... that... ehm... ja at the end of each *year* which makes it clear.

Interviewer: Ok

Participant: Cause there's cycles for sick leave and that's 3 years, now they're saying... cause we speak about cycles for sick leave...

Interviewer: Mmm

Participant: now we talk about cycle over *here*, now you want to think, or you want to associate it with the 3 year term...

Interviewer: Immediately ja you think of 3 years, and you start working out... in your head... and you don't want to do that you just want to know.

Participant: (Reading aloud) annual leave must be taken within 12 months after the leave year has ended after which unclaimed leave will expire. (Pause) So you know that also is not aligned to what is said on the system...

Interviewer: Mmm

Participant: So... after which... ehm... you will *forfeit* unclaimed leave. Not that it will expire, cause what does expire mean. It means it goes old...

Interviewer: Mmm

Participant: it doesn't mean that you lose it...

Interviewer: Ja its gone, it's not there anymore...

Participant: Uhr

Interviewer: I understand what you mean...

Participant: Ja like if you talking about *expiration dates* of food then it's gone sour...

Interviewer: By that time...

Participant: It's not *gone*...

Interviewer: Mmm

Participant: It's not *lost* it's just that it's...ehrm...

Interviewer: not usable anymore ja.

Participant: Uhr

Interviewer: I get it. Ok

Participant: (Reading aloud) permanent fulltime staff may take annual leave in units of full working days or half a working day. (Pause) So... (Sigh) that one...

Interviewer: Mmm

Participant: (pause) Maybe they *directly* translated or what... cause you could've just say permanent... leave can be taken in a full day or in half day...

Interviewer: and omit units there?

Participant: Uhr, why use the words units?

Interviewer: Mmm, cause nobody speaks of a unit of a day nuh?

Participant: Mmm

Interviewer: Ok

Participant: No units... you don't clarify a leave day as a unit.

Interviewer: Mmm

Participant: (Reading aloud) Unclaimed annual leave must be paid out upon termination of employment according to the following formula... (Pause) number... of... days... (Pause)... so like... people don't need to know the formula that it's paid out in the policy. Do you think they... people needed to know the formula?

Interviewer: They don't understand the formula anyway...

Participant: They don't understand the formula... I would just say... and not *unclaimed*...

Interviewer: Mmm

Participant: unclaimed doesn't sound right to me... ehrm... should've been a better word...

Interviewer: Like you said maybe leave that was forfeit?

Participant: (pause) Ehrm... like ok here they use unclaimed leave and there they use unclaimed...

Interviewer: Mmm

Participant: (sighing) *unclaimed*... I'm not happy with that word.

Interviewer: Mmm

Participant: Maybe say... annual leave *not* taken or something like that.

Interviewer: Mmm something else than unpaid.

Participant: Balance of your leave...

Interviewer: Ok ja.

Participant: must be paid out upon termination of contract.

Interviewer: and leave out the formula...

Participant: Yes

Interviewer: of how it's worked out...

Participant: Mmm

Interviewer: People aren't gonna understand the formula anyway.

Participant: Or maybe you can say according to a specified formula.

Interviewer: Mmm

Participant: Contact HR to find out more or whatever.

Interviewer: Or put the formula in a footnote maybe?

Participant: Uhr

Interviewer: You think so?

Participant: *Ja* if they really want to look into the formula...

Interviewer: can go look into it. Ok. So that's annual leave.

Participant: Mmm. Maternity leave... ehm... (Reading softly) didn't they... where's that sentence that says subject to... is this the *old* policy or is this the new one?

Interviewer: This is the policy that's on the system.

Participant: (pause)

Interviewer: What section are you looking for?

Participant: Where it says like... where it adds up to 9 months.

Interviewer: Ja I know what you're looking for...

Participant: The next one?

Interviewer: It's the next bullet or something...

Participant: (Reading softly) See... so if you look at, at... at the first... it's misleading...

Interviewer: Mmm

Participant: If you look at 3.3.2.a it says (reading aloud) permanent female employees are entitled to four months maternity leave with full... also the adoption of a child blah, blah, blah... So you're *entitled* to four months but you won't get it for *every child*.

Interviewer: Mmm

Participant: So if you have 3 children your 3rd child is not gonna get 4 months because you don't qualify.

Interviewer: Mmm

Participant: So I'm just... I would've said you're entitled to a *maximum* of four months.

Interviewer: Ok. And if they said... a maximum of 9 months?

Participant: A maximum of four...

Interviewer: Like in the next bullet.

Participant: months at full cost per child.

Interviewer: Mmm

Participant: But now they say... there they say a maximum of 9 months maternity leave... ehm...

Interviewer: At full COE.

Participant: At full for *all* the confinements... so there they say that's for all the confinements...

Interviewer: for all your babies ja.

Participant: for all your babies, but here you can have a maximum of four months per child.

Interviewer: So that's contradicting each other?

Participant: Uhr

Interviewer: Or misleading.

Participant: It's *misleading*. Do you get what I'm saying...

Interviewer: Mmm

Participant: cause it says 4 months so that means if I had my 4th or 5th child... it still can't be 4 months because you only have... a maximum of 4 months.

Interviewer: Listen how do you feel about *confinements*? That word.

Participant: (Pause) it's a *outdated* word.

Interviewer: Outdated. Some people don't evens know what it *means*. So how can you understand this policy if you don't evens know what that word mean...

Participant: Confinement would've been a word thy used in the nineties cause they use to tell you to go sit in a hole.

Interviewer: Mmm

Participant: Cause you gonna give birth so... whatever...

Interviewer: Mmm

Participant: so you're *confined* cause you can't move and you can't walk.

Interviewer: Mmm ok.

Participant: That's why I say it's a outdated word.

Interviewer: Mmm. If they maybe changed that whole... wording there, the phrasing of these two paragraphs and explain to people exactly... that listen... you get 9 months maternity leave inclusive of 3 delivery dates...

Participant: That 9 months... should've been the main bullet...

Interviewer: Uhr

Participant: It shouldn't been a subject bullet because you get a maximum of 9... that's the...

Interviewer: and then you give the breakdown?

Participant: And *then* you give the breakdown of how it can be applied not that you get four months per child, almost so to say, which is *not* true because it's a maximum of 9.

Interviewer: Mmm. Ja because now if you don't know, and you take the four for your first child and then you have more and...

Participant: And you take again four months, ok now you on your 3rd child now you only have one month left.

Interviewer: Then you don't have ja. Ok. So that need a bit...

Participant: And...

Interviewer: more explanation.

Participant: and that is what I also wanted to... but ok that's a different topic. Ehrm... what I wanted to discuss cause we say up till ehrrm 3 children nuh?

Interviewer: Mmm

Participant: Somewhere around here it says 3 children?

Interviewer: It says... *nowhere* it says 3 children. That's why I'm asking, if they instead of the 9 months, or specified the 9 months and somewhere *said* that we cover you for three pregnancies?

Participant: *There was a time*, in the old policy they said 3 pregnancies nuh.

Interviewer: Mmm

Participant: Which I... but like...

Interviewer: It's a bit clearer.

Participant: If we look at the law nuh... If you take four months then you take four months, now you left with one month's leave.

Interviewer: Mmm

Participant: But in terms of the law you're not allowed to be... come back to work after six weeks.

Interviewer: After six weeks.

Participant: Then what are you gonna do about that other two weeks?

Interviewer: Mmm

Participant: Now you... are you gonna be on unpaid leave now? Ja cause you're not allowed to come back to work by law, but you're company isn't paying for you to stay at home.

Interviewer: Mmm. So you're between a rock and a hard place at the end of the day?

Participant: *Because of how this is written.*

Interviewer: Because you don't understand what's written. Mmm ok.

Participant: And I felt like they didn't think about it when they drafted this.

Interviewer: Mmm. So what about... ja that's why I'm saying maybe if they would just say... 3 pregnancies... it would explain a lot better than... *confinements combined* (giggling).

Participant: (Giggling) Up to 3 pregnancies of 3 months each, 3, 6, 9 or you could then restructure it and have...

Interviewer: whatever you

Participant: six months or whatever...

Interviewer: Ja at least then you know... what you're doing or...

Participant: Ja

Interviewer: what you're getting yourself into at the end of the day and you can't do things and then come back and say I didn't know...

Participant: *Mmm*

Interviewer: because I didn't understand it. Ok thank you.

Participant: (Reading aloud) each female employee will be allowed a maximum of 9 months for all her con... *further* maternity leave will be allowed strictly as required by law. So now they're saying here further maternity leave will be allowed strictly as required by law... So if I took 4 months and again 4 months nuh... then I'm on my 3rd baby then they *must* gimme another two weeks if I think of *that* sentence.

Interviewer: Would you say this is too open to interpretation then?

Participant: *Ja*. Then they must grant me *another* cause it's required by law. Law says that I must stay at home for another two weeks...

Interviewer: And if someone don't have... they've already had their two babies and they only have a one month left...

Participant: Then they must get another *two* weeks.

Interviewer: Ok

Participant: That's now how it sounds like to *me*.

Interviewer: Ja that's how you read it ja.

Participant: It's *confusing*. And ehm is that... *parity*? Because now it says some people have 9 months only and other people have 9 months and two weeks.

Interviewer: Mmm ok. So they should unpack that there?

Participant: Mmm. (Reading aloud) the maternity leave benefit is subject to the... (Reading softly) Ok that makes sense.

Interviewer: It makes sense ja but do you think it's too long? The paragraph. It's a lotta information... very serious information.

Participant: It should be two different bullets...

Interviewer: Ok

Participant: So the one bullet could be that the person must stay employed for 12 months.

Interviewer: Mmm

Participant: Then it could be like a, bullet to the bullet...

Interviewer: Mmm

Participant: saying that subject to that this and this and this must... like that.

Interviewer: Ok. I get it ja. Just so it reads easier.

Participant: Mmm. (reading aloud) as regards the terms of the preceding sub paragraph... now you see this is... (Giggling) was this directly translated from Afrikaans?

Interviewer: I don't know. You think it looks like it?

Participant: This, this *whole* sentence doesn't make sense...

Interviewer: I donno what...

Participant: there's no structure... it's not proper English.

Interviewer: Mmm its *onsamehangend*, what is the English word for that?

Participant: (Pause) it's not grammatically correct... or something ek wietie.

Interviewer: Mmm

Participant: (Reading aloud) as regards to terms of the preceding... it would be *with* regards to the... terms of the preceding subparagraph... and that could've if there was another bullet to the bullet then this could've been another bullet to that bullet.

Interviewer: And that long *onsamehangende* sentence could have been omitted yes.

Participant: taken away.

Interviewer: Ja ok. All right.

Participant: (reading aloud) employees also have the option to take maternity leave in the form of unpaid leave and claim maternity benefit from the UIF.

I omitted sensitive and irrelevant content.

Interviewer: Ok and here we are with that thing of not returning within 6 weeks after having given birth.

Participant: (Reading softly) No this ja before giving birth.

Interviewer: Mmm ja instead of confinement.

Participant: Uhr

Interviewer: That... look can I ask you... When they say SU may for the sake of the smooth running of affairs and after consultation with the employee concerned. How does that make you feel? What do you think of SU when you read that sentence?

Participant: Ja that... and SU *may*... ja that doesn't sound right. And then also *for the sake of smooth running of affairs*. You would say something like ehm... operational reasons. In terms of... so in terms of operational requirements the university may... cause here you're talking about the university the whole time...

Interviewer: Mmm

Participant: the university, but here you're talking about SU.

Interviewer: Mmm

Participant: So here you would say ehm... *for operational reasons* the university may after consultation with the employee concerned require that maternity leave begin no more than a one month before the expected date of confinement.

Interviewer: Mmm ok.

Participant: So that would make it sound better.

Interviewer: Like it stands there now how does it sound?

Participant: (reading aloud) SU may does not sound appropriate it sounds like you're using ehm abbreviations that doesn't align with the rest of the document.

Interviewer: Mmm

Participant: And there *for the sake of smooth running of affairs* is more colloquial? Meaning more ehrrm... it's more terms that you would use in common language and not in a policy document.

Interviewer: Ok

Participant: So you'll say Oh just so that we can make sure that everything runs smoothly can you let me know this... but you won't say let's make sure everything runs smoothly in a *policy*. You'll talk about operational reasons in a policy.

Interviewer: Mmm, ok

Participant: Ehrrm (reading softly) what do they mean by *a remaining portion of maternity leave*? That *whole* thing doesn't make sense. And that is two totally different topics in b.

Interviewer: Mmm

Participant: So the first one talks about you can't return to work within 6 weeks of giving birth and you need a doctor's certificate to say that you are *fit* for work right.

Interviewer: Then you jump. You feel like that's too big a jump to make?

Participant: Then the second one talks about the spouse and it's almost... what you call it? Paternity leave.

Interviewer: Mmm

Participant: Erhm... and paternity leave... is where they would get ehrrm... leave but now they're talking about he or she may use any remaining portion of maternity leave that is available. Whose maternity leave? (Pause) Only the woman gets maternity leave... the spouse would get *paternity* leave or the spouse would get *compassionate* leave.

Interviewer: Mmm. Ok.

Participant: Now they're saying remaining portion of maternity leave. So that means... whose remaining portion? (Pause) So it's like ok... I gave birth now may come back to work and then you stay at home with the baby (giggling). It doesn't make sense.

Interviewer: Mmm

Participant: You're still confined for six weeks.

Interviewer: Ok. And that is all they say there about paternity. Or that's not even paternity as you say.

Participant: Paternity is something that is normally highlighted in *compassionate* leave. So it shouldn't even be a factor here.

Interviewer: Ok

Participant: (reading aloud) should an employee prefer not to resume her duties at work for a period after the maternity leave expired she may be asked... (Reading softly) Ehrm... so this ties into the other point...

Interviewer: Mmm

Participant: Ehrm... where they speak about using your UIF...

Interviewer: Mmm

Participant: that bullet over there...

Interviewer: Ok

Participant: So here they're saying, taking unpaid leave. So when you take unpaid leave then you will go and claim UIF. Those two talk to each other. But it's almost as if this point and that point isn't aligned. You would have this point follow that point.

Interviewer: The UIF and the unpaid leave?

Participant: Yes, and you're taking your annual leave because that's the *structuring* of your leave while on maternity leave.

Interviewer: Mmm

Participant: *The structuring of your maternity leave.* Or your maternity leave period.

Interviewer: Mmm

Participant: So you would put those two *together*... that one here and this one here.

Interviewer: Mmm

Participant: It's almost like this bullet had to come over there. And then this confinement date and this one goes together. But this spouse part should have been removed.

Interviewer: Ok

Participant: (reading aloud) notification of maternity leave must be accompanied by proof issued by a medical doctor indicating the expected confinement date... again it should have been expected due date, would have been simple.

Interviewer: Ok, what about *proof* there that word? Do you think that word is acceptable?

Participant: Ja because your stomach can be proof if you are pregnant.

Interviewer: (Giggling)

Participant: Ehrm but now they're saying proof issued by... I would've said certificate...

Interviewer: notification or something.

Participant: Uhr.

Interviewer: Ok

Participant: (reading aloud) employees must give at least four weeks notification before the commencement of... or as soon as possible... Here they're also saying employees *must* give at least four weeks' notification. There's many cases where employees don't do that and there's no... ehrm penalty... there's no recourse if they do or don't give it before. It's in the policy but what happens if you do or don't give it before?

Interviewer: Mmm

Participant: Do they say failure to do so will result in you not getting maternity leave? No you still get it. Failure to do so will result in what?

Interviewer: So you think we can omit that?

Participant: But it shouldn't be a must. It should be *kindly* submit it at least four weeks...

Interviewer: Just a request then.

Participant: or ehrm... ja.

Interviewer: Mmm

Participant: Or for administrative purposes...

Interviewer: If you do or don't nothing is gonna happen anyway so we just ask you nicely.

Participant: Ja so you can't say *must*. Because there's no repercussions.

Interviewer: if you don't.

Participant: Uhr like it's a compulsory thing, failure to do so will result in you being...

Interviewer: Ok

Participant: (reading aloud) employees who suffer a miscarriage during the last 3 months of pregnancy or give birth to a stillborn child are entitled to maternity leave of up to 6 weeks after the miscarriage or still birth. This last sentence (reading aloud) weather the employee concerned already was on maternity leave when the incident occurred or not. That's a *very badly* written sentence.

Interviewer: (giggling) Look that is according to law hey. That you can't come back within 6 weeks...

Participant: Ja I'm talking about the way it's written.

Interviewer: Ja, ja but I was just gonna ask would it have been better had they mentioned there... you get your six weeks because that what the law requires? Or say according to the BCEA... employees who suffer... a miscarriage blah, blah, blah... can't come back...

Participant: Ja that would be better. And then they say whether the employee concerned already was on maternity leave when the incident occurred or not.

Interviewer: Is that sentence relevant? Is it really necessary to add that... that portion there that you say is... so badly written? Does it make any difference to the content? Can we do without it basically is what I'm asking?

Participant: It should be recon... basically... so what are they saying? So you are now on one month maternity leave? You are two weeks into your maternity leave, and then six or seven months, the date before you, month before you confined so you here hoeg up by 8 months and here you have a stillborn...

Interviewer: Mmm

Participant: Your two weeks into your pregnancy what does it mean? It means that you can be at home for what?

Interviewer: 6 weeks.

Participant: Another 6 weeks. (Pause) Ja it doesn't change anything... even if you are on maternity leave for two months you still six weeks after the miscarriage, you still get six weeks. Doesn't change anything. Dumb sentence.

Interviewer: Mmm, ok.

Participant: It doesn't make sense.

Interviewer: Ok. Study opportunity.

Participant: Study opportunity (Reading softly) this is also misleading because the, the conditions below doesn't say that you can take it continuously.

Interviewer: Mmm

Participant: There is *nothing* in there that says you can take *24 days* in a row for study purposes.

Interviewer: Mmm

Participant: Nowhere can you take a month to say ehm... I'm busy with my thesis so whatever and Imma take this month now.

Interviewer: Mmm

Participant: Doesn't... so either... taken either continuously... it's all in intervals.

Interviewer: Ok

Participant: There is no continuously.

Interviewer: Ok

Participant: Have you heard of a instance where anyone was granted 24 days?

Interviewer: Continuously?

Participant: Yes

Interviewer: Huh-ah never.

Participant: (reading aloud) Employees may enroll only for courses that are deemed to be in SU's interests... again SU, vs the University... what terms must they use.

Interviewer: Mmm

Participant: (Reading aloud) Employees may be granted two days for every examination opportunity in order to write the exams. So we have a practice where we say the day before you write... does this mean that it is the day before?

Interviewer: That is what people do... when people read that... this sentence that is what they understand but it doesn't clearly say that here... so can I take the day...

Participant: Say for example I want the Monday and I write the Friday, then I can mos take the Monday and the Friday... cause it says two days.

Interviewer: Mmm

Participant: And also it says employees may enroll for only courses that are deemed to be in SU's interests. (Sighing).

Interviewer: That begs the question of what...

Participant: what is SU's interests?

Interviewer: Because it's not clear there.

Participant: It's not clear. For instance...

I omitted sensitive and irrelevant content.

Participant: So it's a very vague...

Interviewer: It's vague hey.

Participant: So...

Interviewer: Would you say it's open to interpretation then hey?

Participant: It's open to a lot interpretation.

Interviewer: Too open maybe?

Participant: I said...

I omitted sensitive and irrelevant content.

Interviewer: That's what it comes down to at the end of the day because...

Participant: Because the policy is not clear.

Interviewer: Mmm. Ok.

Participant: (Reading aloud) When study opportunities are granted the following must be agreed upon, what will be deemed to constitute satisfactorily progress... erhm should the employee progress satisfactorily the study opportunity will not be deducted from his or her annual or accumulated leave. Nowhere above here does it say that erhm... study opportunity is, is linked to... progress and that.

Interviewer: And then it just suddenly gets introduced here.

Participant: Uhr

Interviewer: And what is satisfactory progress?

Participant: Yes and they put this in brackets.

Interviewer: Mmm

Participant: And nowhere do they say here that study opportunity is only for stuff that the university paid for.

Interviewer: Mmm

Participant: So it could be something that's from your *own* pocket.

Interviewer: Own pocket mmm.

Participant: Own pocket that you're doing and *now* must the line manager monitor your progress?

Interviewer: Mmm

Participant: Before it gets deducted from your annual leave? What would be satisfactory to them when it's your private thing?

Interviewer: Even if it's not your private thing what would be deemed satisfactory? Would 50% be ok or do you want me to pass 70%? You know/

Participant: Mmm

Interviewer: It's a bit too subjective... I would say.

Participant: So that whole sentence...

Interviewer: And the other thing ja this sentence doesn't make sense. What I want to know here is also it says here (reading aloud) should the employee progress satisfactorily, the study opportunity will not be deducted from his or her annual or accumulated leave. So before it's either deducted from your annual leave... or before you qualify for study leave. What do you apply for? Because you can't apply... you can't go on a study opportunity and not put in anything. So what... do you know what I'm saying? There's a... or do you first put

Participant: Yes it does, it's almost as if... there was almost as if there's this *whole other* policy then they cut and paste... because were *missing* something here.

Interviewer: You think it looks like there's something missing there?

Participant: Yes... because it feels like these two bullets come from somewhere else.

Interviewer: (Giggling) Mmm. Ok.

Participant: This part also gave me a lot of grey hairs...

Interviewer: Mmm

Participant: That it can be taken in intervals... (Reading aloud) time aloud for attending lectures, tutorials and practical's at SU will be calculated according to uninterrupted described duration of class or laboratory session, including breaks between periods plus 20 minutes.

Interviewer: What does that mean... for you?

Participant: (pause) (reading softly) (sighing) and then ehm... they're saying here to attend lectures, tutorials and practical's at *SU*... they're again using the word *SU* and they donno if it should be the university or *SU* or whatever...

Interviewer: So you think they must decide are we talking about the university or are we talking about SU and just stick to it throughout?

Participant: *Throughout*

Interviewer: Mmm

Participant: Throughout the thing that's number one and then also this is talking about study opportunity leave... what they're not understanding here is that a lota people *don't* study at SU.

Interviewer: Mmm

Participant: So now they're giving people a specific benefit aligned to... attend (Reading aloud) lectures, tutorials and practical's at *SU*...

Interviewer: at SU ja...

Participant: creates a unfairness...

Interviewer: So does that mean that if you have lectures and tutorials and stuff to attend at (other places) you can't get that...

Participant: You don't get that?

Interviewer: plus 20 minutes.

Participant: Then full traveling time that employees spend to attend classes *outside* Stellenbosch will be debited against their annual leave... that is only traveling time... it doesn't speak of class times but here there's class times. And then (reading aloud) traveling time employees spend... outside of *Stellenbosch* will be *debited* against their annual leave.

Interviewer: Do they know how much time it takes evens to travel just here *inside* of Stellenbosch? (Giggling)

Participant: *Ja*

Interviewer: How difficult it is to get around *here*.

Participant: *here*... so say now it's outside of Stellenbosch and you must travel to the class... then you still get the class time of and it's just your travel time or is it your travel time plus your class time?

Interviewer: it's not clear there?

Participant: *Not* clear.

Interviewer: Mmm

Participant: Ehrm... ja I had a case...

I omitted sensitive and irrelevant content.

Participant: Now it's not at SU so the policy doesn't make room for that but (it's needed) for work purposes... so it goes back to that first...

Interviewer: So it will... go into SU's interest again...

Participant: It's in SU interests, it is for competencies of the job but this part doesn't make provision to attend classes... but here it says...

Interviewer: Because it's not at SU.

Participant: The 3rd bullet says employees may attend a maximum of 3 lectures a week during work hours... so they can attend lectures during... 3 lectures a week...

Interviewer: Mmm

Participant: here it says at SU, here it says... it's not being specific, and here they're talking about travel time. So now they saying if it takes 20 minutes to drive there and 20 minutes back, its 40 minutes... when will it become a day?

Interviewer: Mmm

Participant: Now they must deduct *one* day of annual leave.

Interviewer: Is it included in your 24... workdays a year?

Participant: Cause travel time is mos from annual leave.

Interviewer: Ok no, no I'm not just talking about, sorry I wasn't specific enough... your class times and your tutorials and your stuff, is it *clear* that that is separate from your 24 work days or is part... interpreted as being part...

Participant: it's *part* of...

Interviewer: of your 24 working days.

Participant: so it's being interpreted as being part of the 24, but you won't, it's not as clear, cause now they're talking about... where am I? Study... that can be taken at intervals...

Interviewer: Mmm

Participant: *All* your study leave is taken at intervals. This is just a smaller interval than that one.

Interviewer: Mmm

Participant: But continuous mean you're taking all the 24 at the same time. So there is no continuous.

Interviewer: Look is this... would you say... as you are saying now all study leave are taken at intervals yes, for administrative staff usually take their study leave at intervals when it comes to academics that's a different story... would you say *this* study opportunity is focuses on... ehr support staff? No?

Participant: No

Interviewer: but when we come to the research opportunities and stuff they are being...

Participant: specific...

Interviewer: a lot more specific, and speaks to the...

Participant: academic...

Interviewer: academics... so where do you draw the line there? Exactly the next point there... it says to you (reading aloud) employees who SU expects to possess a certain qualification... may be granted a once off study opportunity... and ehm...

Participant: subject to the following provisions...

Interviewer: Ja. *There* they speak to academics.

Participant: Academics

Interviewer: If you look at the... but may people don't know that they're speaking to academics...

Participant: to academics... it could be anyone.

Interviewer: because they miss that bullet there, not the bullet the footnote. They miss the footnote there... so would it be that's why I'm asking...

Participant: Mmm

Interviewer: Would it make a bit more sense if thy made separate headings for ehm academic staff and ehm...

Participant: Mmm cause now they're saying it's only for *primary* lectures who must get the doctorate. But who's to say that they don't expect of certain support staff...

Interviewer: So you won't just say that this is for academics then?

Participant: It shouldn't actually be.

Interviewer: Mmm ok

Participant: Someone also asked...

I omitted sensitive and irrelevant content.

Participant: Ehrm... must I read now through this part?

Interviewer: You can skip sections... really... if you feel that... it's not relevant to you or whatever we can just skip it. If you don't feel...

Participant: Ok Ill skip research leave... cause I don't really...

Interviewer: Ok don't... you don't have to feel obliged to go into any section if you don't want to.

Participant: Ok. So with compassionate leave they could've added ehrm... see so here they talk about the birth of a...

Interviewer: Mmm

Participant: employee's child... that should be *paternity* leave also.

Interviewer: Ja we spoke about that earlier...

Participant: But now they're not being clear... cause now they're saying (reading aloud) compassionate leave for a portion of a day for one or more full days may be granted following the birth of an employee's child. (Pause) So if I'm the female and I gave birth am I also entitled to compassionate leave?

Interviewer: Cause you mos now on maternity leave.

Participant: I'm on maternity leave... so do I get maternity and compassionate leave?

Interviewer: Mmm

Participant: Because according to this policy I'm granted both.

Interviewer: So you got another 3 days actually owed to you?

Participant: Ja

Interviewer: If you read that.

Participant: Mmm

Interviewer: Ok. But then it says there you got 14 days in every cycle of 3 years. So you have 23 days compassionate leave. So how...

Participant: So here it says 3 *working* days per year which is also confusing...

Interviewer: Mmm

Participant: *and another* 14 days... so *another* 14 would be the 14 plus 3 would be what 17 in total. (Pause) during every cycle of 3 years... then they're saying thus 23 days compassionate during every cycle of 3 years. 14 plus 3 isn't... or do you say 3+3+3 is 9?

Interviewer: I think so. If you do that sum because the 9 and the 14...

Participant: 9+14

Interviewer: gives you 23. So then its 3, they working out the 3 working...

Participant: 9+14

Interviewer: Uhr they're working that in 3... in probably your cycle.

Participant: But they don't say it properly. You have to like count to say this is 17 it doesn't make 23.

Interviewer: Mmm

Participant: And it actually means that you get 23 days.

Interviewer: So say you get 23 days and then give the breakdown? Proper breakdown.

Participant: And they say 3 days per year. There's instances where youre granted way more than 3 days per year.

Interviewer: Mmm

Participant: They can actually take out that 3 days per year... cause if my child is sick for 5 days then I will get 5 days.

Interviewer: Mmm

Participant: You know what I mean?

Interviewer: Ja because you have the 14 days. So you actually have 23 days... for 3 years.

Participant: Yes so why don't they just say 23 days for the 3 years?

Interviewer: Instead of the breakdown evens?

Participant: Yes you cannot accumulate and this accumulate should be number c.

Interviewer: Mmm

Participant: This is in what instances do you get it. That should be more applicable.

Interviewer: That cannot accumulate.

Participant: Cause normally you put it in order of importance.

Interviewer: Mmm

Participant: When you structure a document nuh?

Interviewer: Mmm

Participant: So it would be this one then this one then this one.

Interviewer: Mmm. Ok

Participant: Ehrm serious illness of employees spouse (reading silently) so most of this is medical terms... maybe you could say the following *medical* instances or whatever I donno.

Interviewer: Mmm

Participant: (Reading aloud) Now it's again SU may request reasonable proof of a incident. Where you gonna get proof? You gonna get it from the doctor or... from who?

Interviewer: Mmm

Participant: From whatever, what do you call it.

Interviewer: Mmm

Participant: It's again *certification* and not *proof*.

Interviewer: Mmm. And what about that word there *before*... granting compassionate leave?

Participant: Where, which word?

Interviewer: If you read that sentence SU may request reasonable proof of an incident before granting compassionate leave. How do you read that sentence, if you read that word... that *before*?

Participant: (Pause) may request reasonable proof, may also sound... previously they used the word *must* and here they're saying *may* request... like they don't have to but they may request.

Interviewer: Mmm

Participant: Ehrm so in what instances *do* they and in what instances do they *not*? Ehrm (reading softly) what do they mean by *incident* also? Or are they referring to incident as a death or a illness or a birth?

Interviewer: I mean there's incidents that can happen in your life with your family and whatnot that is not mentioned there...

Participant: Mmm

Interviewer: that can also constitute perhaps an emergency. I mean if you get phoned now... you gotta come now... are they gonna first want proof? Because if you read that sentence that's what it means there.

Participant: But they're saying here also *may* so there saying they *may* request...

Interviewer: So it's not a given that they...

Participant: *will*

Interviewer: *will*

Participant: They must clarify there what...

Interviewer: Bring your

Participant: instances.

Interviewer: proof ja. Or not proof. Like you said...

Participant: certification, medical note from the doctor...

Interviewer: Look in operations or in practice they don't really ask you these things.

Participant: Mmm

Interviewer: Or maybe there are instances... departments where...

Participant: there are...

Interviewer: people do ask ja.

Participant: if you die then you must give the death certificate.

Interviewer: Ja but I'm *dead*...

Participant: Mmm

Interviewer: How can I keep my death certificate?

Participant: *No* if somebody dies... like the father the mother...

Interviewer: Jaa I'm joking man...

Participant: then you must go to the funeral...

Interviewer: Ok so you would say that sentence needs a little bit of, more restructuring there?

Participant: Definitely. Leave of absence. (Reading softly)

Interviewer: It's like they went out of their way to confuse a person nuh? (Giggling)

Participant: So what is in SU's interest?

Interviewer: Mmm

Participant: Ehrm (pause) (reading softly)

Interviewer: So if I move 3 times in a year do I get...

Participant: One day

Interviewer: one day every time? And if I... go on these 15 days... per occasion to attend these conferences... so if I go on is it quarterly, is it...

Participant: No

Interviewer: annually, is it...

Participant: Leave of absence never runs *out*.

Interviewer: Mmm

Participant: So you can take it as many times as you want but...

Interviewer: Ok

Participant: just not more than 15 days at a time.

Interviewer: Ok so I can go on 15 days... this month and next month and the next mo...

Participant: and the next month and the next month.

Interviewer: Ok

Participant: But do you think it's clear? *There?*

Interviewer: I don't think they want to make that clear (giggling) causes there isn't a limit to how much days you take there.

Participant: Mmm

Interviewer: But as it *stands* here there is no limit stated.

Participant: (reading aloud) Leave will also be granted for longer periods or for a certain activity that do not qualify for leave of absence provided that the...

Interviewer: So

Participant: number of days by which the leave period is exceeded be debited against the employee's annual... now that is also ambiguous and vague and *stupid*...

Interviewer: Giggling

Participant: (reading aloud) leave may also be granted for longer periods for certain activities. What is that certain activities? Longer periods... what instances will you use leave of absence for longer than 15 days it's a half a month.

Interviewer: Mmm

Participant: If you're on a course, conference, attending meetings or gatherings...

Interviewer: Uhr

Participant: ehm... (Reading softly) now they're saying the next sentence, a number of which days by which the leave period is exceeded... be debited against the employee's... meaning that for example, say now I go on a conference right for 20 days...

Interviewer: Mmm

Participant: at a time. And its 15 days that I get granted leave of absence.

Interviewer: Mmm

Participant: So now it's a longer *period* ehm... then they're saying it can be granted for longer periods *but* it must be debited against annual or accumulative leave.

Interviewer: So it's contradictory?

Participant: And it's *not* leave of absence. It's granted... leave is granted but not leave of absence.

Interviewer: Can we take it out there? Will it make a difference to anything it says there?

Participant: No!

Interviewer: Could it *not* be there?

Participant: You can just say leave of absence may be granted for certain activities that do not qualify for leave of absence.

Interviewer: Kla?

Participant: Leave the others out.

Interviewer: Ok

Participant: And then here they say (reading aloud) to attend court proceedings at which SU (reading softly) Ehrm... ja so this... ja... (Sighing) So this sentence could've been included here.

Interviewer: In the 15 working days?

Participant: Meetings, conferences or other gatherings... could've been part of the other gatherings.

Interviewer: Mmm instead of being a separate bullet there.

Participant: Mmm

Interviewer: Oraait

Participant: Continuation of work elsewhere (reading aloud) in exceptional cases SU may grant employees leave to perform their duties elsewhere. *What* exceptional cases?

Interviewer: Where does working from home tie in with all of this ... does it tie in with continuation of work elsewhere, does it tie in with leave of absence...

Participant: It doesn't tie in with *anything*... so they're mos busy working mos on that *other policy*.

Interviewer: Ja but the thing is that other policy is not out in the public domain yet hey...

Participant: Ja

Interviewer: So when people look at the document and they look at the system, it doesn't align.

Participant: Mmm

Interviewer: Because now you want to apply for working from home which you find on the system. But now you're searching from working from home here...

Participant: nothing.

Interviewer: and you don't find it. So now you don't know... where does that now... fit...

Participant: Because the policy don't make provision for it but the people do it *anyway*. So they look towards the system for a way to accommodate what the people are doing...

Interviewer: Mmm

Participant: but the policy doesn't provide for it...

Interviewer: Yes

Participant: The people are doing things out of policy and we in *practice* made it acceptable but we haven't made it acceptable in our policy.

Interviewer: Within the policy, ok. The two aren't aligned in then in any way. Ok. So the continuation of work elsewhere...

Participant: is vague.

Interviewer: Uhr.

Participant: They just say in exceptional cases... what exceptional cases?

Interviewer: Nobody knows.

Participant: (reading aloud) unpaid leave in special cases and on the conditions set by the university, again the university but just one line up they speak about SU and then they... comma, *SU* may grant...

Interviewer: Mmm

Participant: employee's unpaid leave during which period they will receive 25% of the pensionable amount of the COE. So that also doesn't make sense nuh, the common person won't understand that.

Interviewer: Huh-ah

Participant: What that means is that if your cost of employment is 100% nuh... then your pensionable earnings is 75%. So the university generally retains that 25% to cover some of your...

Interviewer: benefits

Participant: but your benefits isn't necessarily 25% it can be more depending on how you structure your salary.

Interviewer: Uhr, so there can be a shortfall even?

Participant: There could be a shortfall. So if for example you go on unpaid leave we have to go and check with (I omitted a name) to see what that cost actually is because it could mean that person... like...

I omitted sensitive and irrelevant content.

Participant: We must calculate how much that person must pay in to retain their medical aid.

Interviewer: Uhr cause there's a shortfall.

Participant: There's a shortfall.

Interviewer: Ok

Participant: So that doesn't explain that properly.

Interviewer: Mmm

Participant: (reading aloud) employees earn no annual leave during a period of unpaid leave. And what they don't also state is that you don't earn... you are not supposed to earn annual leave during maternity leave cause you didn't work.

Interviewer: But it's not stated there.

Participant: It's not stated there. Cause you didn't work you're on leave. You can't generate leave while you're on leave. So if you're on four months leave you can't generate leave.

Interviewer: Mmm.

Participant: So think about in terms of if you're on 4 months leave not generating annual leave vs being on 3 months leave... and gaining leave... you know... I donno.

Interviewer: Mmm

Participant: But it's not in the policy.

Interviewer: So the people don't know these things and then they... when they come in these situations then they don't know what they're up against or...

Participant: So they put this in here, but they don't put in annual leave.

Interviewer: Uhr

Participant: Because you can't accumulate leave while being on leave.

Interviewer: Uhr, so they must state it there as well.

Participant: Because leave works with a purpose in terms of the BCEA that for every 17 days work you get 1 days leave right.

Interviewer: Mmm

Participant: So it's on the principle that you *work*.

Interviewer: That you earn... you're *earning* it ja I hear you.

Participant: That you work and you're *earning* your leave.

Interviewer: Mmm

Participant: So if you're on maternity leave... you're not earning...

Interviewer: You're not working ja. So you can't *earn* anything per se.

Participant: Mmm. (reading aloud) employees who are on unpaid leave qualify for a research opportunity during that period, the period that they can claim for research purposes will be reduced accordingly. Makes *no* sense.

Interviewer: (giggling) Ok

Participant: (reading aloud) employees must use up all their annual leave before they can qualify for unpaid leave. Staff who take advantage of this benefit must remain in SU's employ afterward for a quarter of the relevant leave period. I donno why that is a policy. Why must you take... basically people will take the annual leave. They mos wouldn't want to *not* get a salary.

Interviewer: Ja I mean unpaid leave will be most now your last resort.

Participant: last resort.

Interviewer: I get it ja.

Participant: (Reading softly) Employees must use... so you wouldn't go on unpaid leave if you have annual leave, it doesn't make sense. Ehrm...

Interviewer: What do you think of that structuring there... you must *use up*?

Participant: (Pause) I would've said must exhaust... *really*...

Interviewer: It's like you're speaking to (a child) eat up all you're food there.

Participant: Uhr, so it's like there's different levels of English used in this document. Ehrm... (Reading aloud) before they can qualify for unpaid leave. Before they can *qualify... for unpaid leave*?

Interviewer: (giggling) who wants to qualify for unpaid leave? You thing qualify is a problematic word?

Participant: *Ja*

Interviewer: apply probably? Nuh.

Participant: They probably won't have to apply... they will...

Interviewer: to be considered... or....

Participant: they'll just *go* on unpaid leave. I mean you have no more leave... a lot of cases when you are on unpaid leave it would be where your sick leave is exhausted, your annual leave is up, *everything* is up and now you're on unpaid leave...

Interviewer: Mmm. That's why I'm saying it's your last resort.

Participant: So it's almost like your last resort.

Interviewer: Mmm

Participant: So it's almost like you *have* to go on unpaid leave cause the university's not gonna carry you... cost of your employment anymore.

Interviewer: Mmm

Participant: So it's not like you qualify, you *will* be on...

Interviewer: Mmm

Participant: So it's not like Oh you now qualify!

Interviewer: Mmm you have no other choice basically.

Participant: Mmm

Interviewer: Mmm I hear you. Ok I would like to hear...

Participant: (reading aloud) staff who takes advantage of this benefit must remain in SU's employ afterwards for a quarter of the relevant leave period. Why? So if for example you have someone that's ehm... been absent the whole time nuh they've been absent. They've exhausted all the sick leave, exhausted all their half day sick leave.

Interviewer: They're just on unpaid leave.

Participant: They're on unpaid leave now and you busy with an incapacity process almost...

Interviewer: They earn nothing.

Participant: because they have other issues or whatever...

Interviewer: Mmm

Participant: If we gonna write to board them or say ehm there's misconduct, disciplining them or whatever... or whatever reason and now they must come back to work...

Interviewer: Mmm

Participant: they would be listed as so called problem children... we wouldn't want them to stay in the employ afterwards.

Interviewer: (giggling)

Participant: You know what I mean?

Interviewer: I hear you. Why would you want to keep you here?

Participant: That's your under performers that you might say must go cause they're not here they're not productive...

Interviewer: They're not benefiting SU ja.

Participant: they use up all of their leave. Unless there's like a specific arrangement where they go on unpaid leave like...

I omitted sensitive and irrelevant content.

Interviewer: What would they lose? Would the university lose anything if someone doesn't come back in that instance? I mean you didn't *pay* the person for that year... that person *earned* nothing...

Participant: It's just to recruit for a new person.

Interviewer: Ja. Ok. Maybe it's just put in there cause they can.

Participant: (reading aloud) employees must be present on weekdays on university premises at the work place assigned to them, except if they are on leave or absent for purposes of a study or research opportunity. It's like so obvious that sentence... I would've said *except* if leave has been approved for whatever reason.

Interviewer: Does it need to be in this document evens?

Participant: Uhr

Interviewer: Because if you're not on leave for whatever reason, if you're not sick, then you know you must be here.

Participant: Must be here.

Interviewer: That almost goes without saying. So it begs the question to me is that even relevant? There's such a lot of information in this document...

Participant: Mmm

Interviewer: do we need information that is repetitive...

Participant: take that *out...*

Interviewer: or that is not necessary you know what I mean? So ja.

Participant: I can say assigned to them and maybe this except for when they're on leave... say ehm... in your working hours as stipulated in your appointment contract.

Interviewer: Mmm

Participant: According to the working hours as stipulated in the appointment contract. Or whatever. Or...

Interviewer: Ok but then it doesn't refer to leave.

Participant: *No* cause it... this topic says presence at the workplace. This is actually when you are supposed to be in work. This is the opposite of leave this whole bullet here.

Interviewer: Mmm

Participant: (reading aloud) if employees have to perform their duties at some place *other* than their normal workplace ehm... they must make adequate arrangements with their environmental head and dean or his or her delegate regarding their whereabouts. Now this is in the *other* document that's still ehm being drafted... working arrangements...

Interviewer: Draft document ja. You see now this... someone said to me refers to leave of absence. Would you agree with that?

Participant: Ja because you would also fill in leave of absence when you are working elsewhere.

Interviewer: So it could be omitted because it's been said in leave of absence already? That's what some people feel. How do you feel?

Participant: Has it been said in leave of absence?

Interviewer: It's been said in leave of absence they say to you if you don't.... if you're not here and you are... on leave of absence for one of these reasons if you're continuation of elsewhere and all of that then it comes back and it says the same thing

Participant: (Reading aloud) to attend meetings, conferences or other gatherings.

Interviewer: Mmm

Participant: It doesn't say to work from home.

Interviewer: No, no nowhere it says....

Participant: work at a different location. This should actually go to leave of absence.

Interviewer: Mmm

Participant: This whole bullet.

Interviewer: And then it again says in the next bullet that your deans or heads gives you permission to attend things, and in the previous bullet it speaks about if you're not here and you're attending something somewhere to make arrangements with your heads or whatever so...

Participant: Leave of absence.

Interviewer: Would you say that is repetitive?

Participant: Mmm. Sick leave

Interviewer: Before we start anything with sick leave. Do you think that is the correct position for sick leave to be in this document? The whole last point?

Participant: Second last nuh?

Interviewer: No it's the last one... because exemption of tuition fees is not...

Participant: Oh!

Interviewer: No! Sick leave should be immediately after annual leave and then maternity leave then leave of absence...

Participant: Mmm

Interviewer: then continuation of work elsewhere.

Participant: Mmm

Interviewer: I wonder why sick leave is last.

Participant: (reading aloud) employees who can submit a medical certificate... or medical that SU finds acceptable... what are we not going to find acceptable? They must say recognized by a...

Interviewer: medical professional?

Participant: *accredited* medical professional. (Reading aloud) are entitled to a maximum of 8 months sick leave. And then... doesn't sound right (pause) now that also doesn't align with the system. The system says 120 days.

Interviewer: Mmm

Participant: So it should've said 120 days per cycle of 3 years.

Interviewer: Mmm. Would the days be better than speaking about months?

Participant: Yes. Because the months doesn't sound right.

Interviewer: The months confuses people because now they think they can go on sick leave for 8 months.

Participant: Uhr (reading aloud) sick leave cannot be accumulated ehm sick leave is calculated according to calendar days not working days. Sick leaves that runs from a Friday until the following Monday thus amounts to 4 days... of leave.

Interviewer: Why is that so?

Participant: Because we get so *much*. {...} that's whys cause we get so much.

Interviewer: Mmm

Participant: The law mos doesn't make provision for us to have so much.

Interviewer: Mmm

Participant: So that's why they converted it to calendar days and made it concurrent.

Interviewer: Ok

Participant: (reading aloud) application for sick leave for more than two calendar days must be accompanied by an acceptable medical certificate that states the nature of the illness clearly. No they don't say anything about if you're off on a Monday, if you're off on a Friday, if you're off for longer... if you're... off... for... regularly in a period...

Interviewer: Mmm they're not saying anything about that.

Participant: Nothing... no mention...

Interviewer: no mention about all of that and the thing is... is that the correct place for that... bullet?

Participant: That should've been on top... that should've been the *first* bullet. And then what you can apply for... applications for sick leave

Interviewer: Mmm I hear you.

Participant: Must be accompanied by... or actually should've been the second one. But it shouldn't have started with medical certificate being the first bullet. The first bullet says what you're *entitlement* is and your *entitlement* is not dependent on a medical certificate.

Interviewer: Mmm

Participant: You're entitled to 120 days per 3 year cycle, *not* related to a medical certificate. You off for one day you get a one day... If you're off... you know what I mean?

Interviewer: Mmm

Participant: Ok and then the next one would say that applications for sick leave for more than 2 calendar days... so from the 3rd day onwards you need to bring a medical certificate.

Interviewer: Mmm

Participant: That should be there.

Interviewer: Ok thank you.

Participant: Do we carry on are we done?

Interviewer: No we're done