

Financial Solutions for
Business Owners



SICK LEAVE DURING ANNUAL LEAVE

Question: If an employee falls ill or is injured while on annual leave, must the employee get paid sick leave? Or must the employee's annual leave entitlement be extended?

Answer: No, the employee does not have a right to any additional pay, nor does the employee get extra leave days for the days on which he or she was ill.

Brief explanation: There is a widely held belief that an employee is entitled to pay for absence due to illness or injury during annual leave. This is not the case. Section 22(5)(a) of the Basic Conditions of Employment Act of 1997 states that an employer must pay an employee for a day's sick leave the wage the employee would ordinarily have received for work on that day. This means that sick leave entitlement can only arise in circumstances where the employee would have worked if it weren't for injury or illness. An employee on annual leave would not work or be required to work during that period. He or she is therefore not entitled to paid sick leave.

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