

# Overtime, Time-off-in-lieu and Travelling Time Procedures

## Section 1 - Preamble

- (1) These procedures apply where a professional employee's employment is governed by the University's current [Enterprise Agreement](#). The provisions under other industrial instruments may differ.
- (2) Unless the relevant industrial agreement or the employee's individual contract specifically states otherwise, the University will compensate professional employees for authorised work performed in excess of their normal working hours or outside a specified band or pattern of hours. This compensation may be an overtime payment or, in situations where both the employee and supervisor agree, time-off-in-lieu (TOIL) of an overtime payment may be granted.
- (3) The University also compensates professional employees who are required to perform duties at a location other than their normal workplace for the time they spend travelling to and returning from the temporary location.
- (4) The provisions relating to the payment of overtime, the accrual of TOIL of overtime and the accrual of TOIL of travelling time are discussed separately below.

## Section 2 - Approval Authority

- (5) The Head of Work Unit has the authority to approve the following, within the provisions of the Enterprise Agreement or appropriate industrial instrument, University Policies and Procedures:
- a. the working and payment of overtime for professional employees (this authority cannot be transferred); and
  - b. the accrual and taking of TOIL and travelling time for professional employees (this [authority may be transferred](#) to a manager/supervisor (at HEW5 level and above) within the work unit. The transfer will enable the manager/supervisor to approve accrual and taking of TOIL and travelling time within MyHR for employees reporting to them.

## Section 3 - Definitions

- (6) 'Unreasonable Overtime' is defined as working more than 20% of an employee's ordinary hours averaged over a calendar year.

## Section 4 - Section 4 - Eligibility and Conditions

### Part A - Overtime

- (7) An employee may be required to perform reasonable overtime and where practicable will be given 48 hours' notice. The working of unreasonable overtime is not condoned or encouraged.

## Eligibility

(8) Unless otherwise provided, where professional employees have prior authority from the Head of their Work Unit to work overtime, they are eligible for payment of overtime or accrual of TOIL in the following circumstances:

### Flexitime

- a. Normally, employees working flexitime are eligible for payment of overtime or the accrual of TOIL where they are required to work outside the band width hours of 7.00 am to 7.00 pm, Monday to Friday. However, where an employee working flexitime is directed to work more than ten hours in any day as a consequence of any of the following:
  - i. Plant, equipment, network, software or system failure;
  - ii. An emergency or other condition that, if not rectified, would compromise the normal functioning of the University and or the safety of staff, students or the public; or
  - iii. An abnormal peak workload demand.

the employee is entitled to payment at overtime rates for those hours worked in excess of seven hours.

- a. Employees working flexitime who elect on their own accord to work more than seven hours in any one day will have no right to an overtime payment.
- b. Time worked to accumulate flexitime credits or extinguish debits will not attract overtime payments.
- c. Where a variation to the standard flexitime agreement has been put in place and a written agreement exists between the University and affected employees, the agreement will specify when overtime rates are payable.

### Ordinary hours

- a. Full-time employees working ordinary hours are eligible for the payment of overtime or the accrual of TOIL for any work authorised and performed outside or in excess of the ordinary hours on any one day.

### Variable hours

- a. An employee who works variable hours may work outside the prescribed ordinary hours of work on any one day or in any week, subject to the limits specified by the University.
- b. Full-time employees working variable hours will not be entitled to claim overtime or penalty rates unless directed to work more than 10 hours in any one day or more than 140 hours in any four week period. Part-time employees working variable hours are not entitled to claim overtime.

### Rostered hours

- a. Employees (other than casual employees) who are required to work shifts are eligible for the payment of overtime or the accrual of TOIL for any work authorised and worked outside the current shift roster.
- b. Casual employees participating in a shift roster are eligible for the payment of overtime for any time they are directed to work in excess of seven hours on any day.

### Part-time employees

- a. Part-time employees are eligible for the payment of overtime for any work authorised and performed in excess of seven hours Monday to Friday and for authorised work undertaken on weekends where the hours involved do not form part of a normal rostered shift.
- b. Where part-time and fractional fixed-term professional employees agree to take time-off-in-lieu of overtime, the University may, instead of paying overtime, give the employee time off for the period equal to the overtime hours that would have been payable.

## Casual employees

- a. Casual employees, except for those working a shift roster, are eligible for payment of overtime for any approved work in excess of ten hours on any day or in excess of 35 hours in any week Monday to Sunday. Overtime rates are based on the employee's base hourly rate and the employee will receive the greater of either the overtime rates or the casual loading, but not both.
- b. TOIL of overtime is not available to casual employees.

(9) Employees, other than casual employees are also eligible for the payment of overtime or the accrual of TOIL for any work undertaken on a Saturday, Sunday or Public Holiday providing the hours worked do not form part of a normal rostered shift.

(10) If an employee elects on their own accord to work outside, or in excess of, the ordinary hours or rostered span of hours on any one day or in any one week, then no right to overtime payment exists.

## Entitlement

(11) Providing prior approval to work overtime has been obtained from the Head of the Work Unit, employees are entitled to receive the following overtime payments:

- a. Monday to Saturday: Overtime worked is paid at the rate of time and one-half for the first two hours and double time thereafter.
- b. Sunday: All overtime worked between midnight Saturday and midnight Sunday is paid at the rate of double time, with a minimum payment of four hours. Where overtime commences before midnight on a Sunday and continues beyond midnight, all continuous overtime worked will be paid at double time.
- c. Public holidays: All overtime worked on a public holiday is paid at the rate of two and one-half times the ordinary rate of pay, inclusive of the ordinary rate of pay, with a minimum payment of four hours.

(12) Wherever it is reasonably practicable, overtime should be arranged so that employees have at least ten consecutive hours off duty between work undertaken on successive days.

(13) Where an employee works so much overtime that they do not have at least ten consecutive hours off duty between finishing overtime on one day and commencing ordinary duty on the following day, the employee is entitled to be absent for ten consecutive hours without loss of pay after completing the overtime.

(14) If, on the instruction of their supervisor, the employee resumes or continues working without having had ten consecutive hours off duty, they will be paid at overtime rates until they are released from duty. In these circumstances, the employee is entitled to be absent from work for ten consecutive hours without loss of pay.

(15) In the case of shift workers, eight hours should be substituted for the ten hours specified in clause 14 when the overtime is worked for the purpose of changing shift rosters, or when a shift worker fails to report for duty and a day worker or shift worker is required to replace them.

(16) Where an employee has been instructed to report for duty for overtime on a day on which they would not have been required to work and, on reporting for duty on that day finds no overtime is available, the employee will be paid three hours overtime at the overtime rate for that day.

(17) Employees called back to work after leaving the University will be paid at the appropriate overtime rate for a minimum of four hours. Each callback stands alone. This does not apply where it is customary for an employee to return to the University to perform prearranged overtime or where the overtime is continuous (provided there is a reasonable meal break) with the start or end of the employee's normal working time.

(18) Each day's overtime stands alone and is calculated to the nearest quarter hour.

(19) Overtime payments will be calculated on the ordinary hourly rate of pay for the employee. There is no overtime barrier restricting the payment of overtime to particular classifications.

(20) Employees must not work for more than five hours continuously without taking a meal break of at least 30 minutes.

### **Payment of meal allowances during periods of overtime**

(21) Where an employee is required to commence overtime at or before 6.00 am, and the starting time is at least one hour before the employee's prescribed starting time, a breakfast meal allowance is payable.

(22) Where an employee is required to work overtime for more than five hours on a Saturday, Sunday or public holiday, a lunch meal allowance is payable.

(23) Where an employee is required to continue working beyond two hours after their prescribed finishing time a dinner meal allowance is payable, except when the overtime worked ceases no later than 7.00 pm. Where a break of one hour or less is taken between the employee's prescribed finishing time and the commencement of overtime, the employee will be entitled to a dinner meal allowance. Where a break in excess of one hour is taken between the employee's prescribed finishing time and the commencement of overtime, a dinner meal allowance will not be paid.

(24) Details of overtime meal allowances rates can be obtained from the current [Schedule of Non-Executive Domestic Travel Allowances](#) on the Financial and Business Services website.

### **Application and Approval Process**

(25) To claim payment for overtime worked, an employee must record the details in the overtime section of their timekeeper attendance record in MyHR. In the 'Type' field, select 'Overtime: Paid for additional hrs' from the drop down list. Record the start and finish times for the overtime worked and any time taken for breaks during the overtime in the appropriate fields. On the basis of the information provided, the employee's entitlement for meal allowances will be paid.

(26) The timekeeper record is automatically forwarded to the employee's supervisor. Where overtime is claimed, the supervisor must forward the timekeeper record to the Head of Work Unit for approval.

(27) The timekeeper attendance record must be approved by noon on the Monday before payday to ensure payment on the following payday. This deadline may vary when public holidays limit the time available for payroll processing.

## **Part B - Time-off-in-lieu (TOIL)**

### **Eligibility**

(28) If an employee works overtime and agrees to take TOIL the University may, instead of paying overtime, the employee is given time off for a period equal to the overtime hours that would have been payable.

(29) TOIL is not available to casual employees.

(30) TOIL accrued is calculated at the overtime rate appropriate to the period of overtime actually worked. For example, four hours overtime worked at double time is equal to eight hours' time off in lieu of overtime payment.

(31) TOIL balances are available through MyHR.

## Claiming TOIL

(32) To claim TOIL for overtime worked, an employee must record the details in the overtime section of their timekeeper attendance record in MyHR. In the 'Type' field, select 'Overtime: Accrue TOIL hours' from the drop down list. Record the start and finish times for the overtime worked and any time taken for breaks during the overtime in the appropriate fields. On the basis of the information provided, the employee's entitlement for meal allowances will be paid.

(33) The timekeeper record is automatically forwarded to the employee's supervisor. Where TOIL is claimed, the supervisor must forward the timekeeper record to the Head of Work Unit for approval.

## Taking accrued TOIL

(34) The taking of accrued TOIL is always at the work unit's convenience and at a time which is mutually agreed between the employee and their supervisor. Before taking TOIL, full-time employees must complete a leave application in MyHR and part-time employees must seek approval from their supervisor by email.

(35) All employees are required to reflect absences in their timekeeper attendance records.

(36) The University will not pay accrued TOIL when an employee ceases work with the University.

## Part C - Travelling time

### Eligibility

(37) When professional employees are required to perform duties at a location other than their normal workplace, the University compensates them as follows for time spent travelling to and returning from the temporary location:

- a. Employees working flexitime: travelling undertaken within the time limits of 7.00 am to 7.00 pm should be recorded as flexitime. For travelling time outside these limits and/or on days when they are not rostered for duty, the employee is entitled to accrue TOIL for the time spent travelling to and returning from the temporary location.
- b. Employees working fixed hours: travelling time in excess of their normal daily hours and/or on days when they are not rostered for duty attracts the accrual of TOIL.

(38) In cases where the employee travels directly from home to the temporary location or from the temporary location to their home, travelling time will be assessed on travel undertaken between the employee's home and the temporary location. Where the employee travels from their usual workplace to the temporary location or returned from their temporary location to their usual workplace, travelling time will only be assessed on travel undertaken between the employee's usual workplace and the temporary location.

(39) Calculation of travelling time will normally be based on the most practical and economical form of transport available for the journey.

(40) TOIL accrued is equivalent to the actual hours of travel, regardless of when the travel is undertaken, and is assessed to the nearest quarter hour.

(41) In exceptional circumstances, where the University determines that TOIL cannot be conveniently granted because of workplace requirements, payment for travelling time will be considered as an alternative to the granting of TOIL. Payment must be approved by the Head of Work Unit and will be assessed at the employee's normal hourly rate for the period involved.

## **Application and Approval Process**

(42) Employees who accrue TOIL of travelling time should record the details in the overtime section of their timekeeper attendance record in MyHR. In the 'Type field, select 'Travel: Accrue TOIL for Travel time' from the drop down list. Record the start and finish times for the travelling time in the appropriate fields. On the basis of the information provided, the employee's entitlement for meal allowances will be paid.

(43) The timekeeper record is automatically forwarded to the employee's supervisor. Where TOIL is claimed, the supervisor must forward the timekeeper record to the Head of Work Unit for approval.

(44) The taking of accrued TOIL is always at the work unit's convenience and at a time which is mutually agreed between the employee and their supervisor. Before taking TOIL, full-time employees must complete a leave application in MyHR and part-time employees must seek approval from their supervisor by email.

(45) All employees are required to reflect absences in their timekeeper attendance records.

## **Section 5 - Links and Forms**

[Claim for overtime, time-off-in-lieu and shift penalty payments](#)

[Driving safety policy](#)

[Schedule of Non-Executive Domestic Travel Allowances](#)

[SCU Enterprise Agreement](#)

[Transfer of approval authority](#)

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	2nd June 2015
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<b>Approval Authority</b>	Vice Chancellor
<b>Approval Date</b>	15th April 2015
<b>Expiry Date</b>	7th August 2016
<b>Head of Work Unit</b>	Kath Drew Director, Human Resources
<b>Enquiries Contact</b>	HR Services