Procedure: Overtime for professional staff

Purpose

To outline the procedure for the application and managing of overtime for professional staff in accordance with the ANU Enterprise Agreement.

Definitions

Casual loading means the 25% loading paid to casual professional staff in lieu of all paid leave entitlements, including long service leave.

Flexible work arrangement means a ‘Flextime’ arrangement whereby a staff member may, with the approval of their supervisor, start and/or finish work at flexible times normally within the span of hours.

Ordinary hours of work means the ordinary number of hours of work required for a full time, professional staff member in accordance with the ANU Hours of work and related provisions procedure.

Overtime is work which is performed at the direction of the supervisor and which is in excess of the ordinary number of hours of work and/or is required to be worked outside the span of hours.

Span of hours reflects the time span during which ordinary time rates are payable in accordance with the ANU Hours of work and related provisions procedure.

Procedure

Eligibility for paid overtime

1. A staff member may be required to work reasonable overtime. Where a staff member has personal commitments or personal circumstances arise and it would be unreasonable for the University to prevent the staff member from attending to them, the staff member may refuse to work outside their ordinary hours of work.

2. A professional staff member will be eligible to receive overtime, except where:
   a. The staff member is employed at ANU Officer Level 8 or above
   b. A flexible working arrangement applies and where the work can be accommodated within that arrangement
c. The staff member is in receipt of an overtime allowance
d. The staff member requests time off in lieu of an overtime payment

3. A casual professional staff member will be eligible for overtime where the staff member works in excess of the ordinary hours of work and/or where the staff member works outside the span of hours.

4. An examination invigilator, field interviewer, community coordinator, or Library, Drill Hall Gallery or a School of Art Gallery staff member employed on a part time or casual basis will be paid overtime where they are directed to undertake work outside the span of hours.

Overtime rates

5. Subject to clause 1 and 4, professional staff members (including casuals) who are eligible to be paid for overtime will be paid in accordance with the following table.

<table>
<thead>
<tr>
<th>Time of work</th>
<th>Overtime rate</th>
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<tbody>
<tr>
<td>Monday to Friday</td>
<td>150% for first three hours, 200% thereafter</td>
</tr>
<tr>
<td>Saturday</td>
<td>150% for first three hours, 200% thereafter</td>
</tr>
<tr>
<td>Sunday</td>
<td>200%</td>
</tr>
<tr>
<td>Public holiday</td>
<td>*250% includes payment of ordinary hours</td>
</tr>
</tbody>
</table>

*250% includes payment of ordinary hours

6. Where a casual staff member receives overtime rates prescribed in clause 5, they will not be paid the casual loading for the overtime work.

7. Where a shift worker works overtime, the overtime rate prescribed in clause 5 above will be in substitution for and not cumulative upon a shift loading.

8. A shift worker will be paid at the ordinary rate, exclusive of penalty rates, for a public holiday which falls on any Monday to Friday inclusive, except that they will be paid at the public holiday rate for time actually worked on that day.

9. A cleaner or security officer who is not a shift worker, or is a shift worker not rostered to work on a Saturday, will receive 200% of their ordinary hours rate of pay for all hours worked on a Saturday.
10. An observatory night assistant will not be paid at the overtime rates prescribed above, but will be paid 150% of the ordinary hours pay rate for the first eight hours of overtime and 200% of the ordinary rate thereafter for all time worked in excess of 70 hours in a fortnight.

**Annualised overtime allowance prerequisites**

11. Annualised overtime allowances are designed to create administrative ease for the University and certainty for the staff member. Where a staff member(s) and the University enter into annualised arrangements, such allowances cannot be used to reduce the entitlements that a staff member(s) would otherwise have received through the normal calculations of overtime when averaged over a year. If agreement cannot be reached, the provisions of this schedule will apply.

**Eligibility for overtime allowance**

12. A staff member who works regular overtime may be paid an overtime allowance in lieu of the overtime payments prescribed in clause 5 above to compensate for all overtime worked. The delegate may approve payment of an overtime allowance to a staff member at ANUO8 level or above where that staff member's duties necessitate long working hours and/or significant hours of work outside the normal span of hours.

**Availability duty and continuous standby**

13. The University may place a staff member at a level no greater than ANU Officer Level 7 on availability duty or continuous standby on a daily or weekly basis. Payment will be made in accordance with clause 27.10 of the ANU Enterprise Agreement.

14. Where a staff member is on availability duty or continuous standby, the staff member must remain contactable by telephone and attend the University as required within an agreed time.

**Short call allowance eligibility**

15. A staff member will be paid a short call allowance at the rate specified in the ANU Enterprise Agreement where the staff member:

- is not on availability duty;
- is required to work overtime on a Sunday or public holiday; and
- has received less than 24 hours' notice of that requirement.
16. Where a staff member is directed to immediately attend an emergency situation, regardless of the day upon which that requirement falls, the staff member will be paid a short call allowance.

Cancellation allowance eligibility

17. A staff member is entitled to 6 hours’ notice of cancellation of overtime. Where a lesser notice period is provided, the staff member will be paid a cancellation allowance in accordance with the ANU Enterprise Agreement.

Additional meal break

18. Subject to Ordinary hours of work and related provisions procedure, a staff member who is required to work overtime may be entitled to an additional meal break.

Overtime not continuous with ordinary hours

19. Where a staff member, who is not paid an availability allowance, is required to work overtime that is not continuous with their ordinary hours, the staff member will be paid a minimum of four hours at the appropriate overtime rate calculated from the time the staff member commenced work; and a travelling allowance at the rate specified in the ANU Enterprise Agreement. This will not apply where the interval between the completion of the staff member’s ordinary hours and the commencement of overtime is a meal break of not more than two hours which has been agreed between the staff member and the supervisor.

20. A staff member who is paid an availability allowance and is required to work overtime that is not continuous with their ordinary hours is entitled to be paid a minimum of three hours at the appropriate overtime rate, calculated from the time the staff member was called to return to work. If more than one attendance is required, the amount paid will not be more than what would have been paid had the staff member remained at work for the whole period.

Rest relief after overtime

21. A staff member who works approved overtime is entitled to a minimum of nine hours between the termination of work on one day and the commencement of duty the next day. Where the staff member's ordinary working time commences less than 9 hours after the staff member has finished work, they will not be required to attend work until that period has elapsed but will be paid in full for those hours which would ordinarily be worked on that day.
22. In circumstances where it is impossible to release a staff member for nine consecutive hours, the staff member will be paid double time for all hours worked until able to take a nine hour break.

Assistance with transport

23. Where a staff member is required at short notice to work until it is too late to travel by the last public transport or other regular means of commuting to their usual place of residence, the University will provide appropriate transport free of charge.

Overtime coinciding with daylight savings changeovers

24. Where a staff member is performing overtime at the time of a changeover from standard time to daylight savings, or the reverse, payment will be made in respect of elapsed time.