Overtime and TOIL

ELIGIBILITY
Overtime and time off in lieu (TOIL) is restricted to General Staff employees up to HEW level 7 and Teaching Focused Academic Staff level A working predominantly in Vocational Education and Training (VET) and Associates working predominantly in VET.

The University may extend TOIL and overtime to employees outside of these categories in exceptional circumstances.

ENTITLEMENTS
Overtime will be paid in accordance with the following:

**Overtime worked Monday to Saturday:**
- First 3 hours of overtime - Ordinary time plus 50%
- All hours in excess of 3 hours - Ordinary time plus 100%

**Overtime worked midnight Saturday to midnight Sunday:**
- All hours worked - Ordinary time plus 100%

**Overtime worked on a public holiday:**
- All hours worked - Ordinary time plus 150%

Overtime rates are not paid for additional hours travelling on University business.

Overtime rates are not paid on a weekend when it forms part of the ordinary working week.

An employee recalled to work overtime which is not continuous with their ordinary hours of duty must be paid a minimum of four hours at the appropriate overtime rate.

**ENTITLEMENTS TOIL**
Overtime will normally be taken as TOIL and within four weeks of accrual. Where this is not possible, overtime will be paid. Only with agreement between the Supervisor and the employee and in unusual circumstances would an employee be permitted to accrue TOIL or overtime beyond this initial four week period.

TOIL accrued by HEW Level 1 to HEW Level 7 and Teaching Focused Academic Staff Level A shall be taken at the rate at which it is accrued. TOIL accrued by HEW Level 8 and above shall be taken at one hour off for each overtime hour worked.

TOIL accrued toward the end of the calendar year (September onwards) may be carried over to first semester the following year where an employee is prevented from taking TOIL and where the express permission is sought and granted by the relevant Senior Manager.

PROCEDURES
TOIL and overtime must be agreed in advance with the Supervisor responsible for workload planning and budget.

Operational circumstances may require employees to work reasonable overtime.

No employee shall be required to work in excess of 40 hours overtime in any one four week period.

When overtime work is necessary it must, wherever reasonably practicable, be so arranged that employees have at least 10 consecutive hours off duty between the work of successive working days.

If on the instructions of the University an employee resumes or continues work without having had the 10 consecutive hours off duty the employee must be paid at double rates until he or she is released from duty for such a period. The employee is then entitled to be absent until he or she has had 10 consecutive hours off duty without loss of pay for ordinary working time occurring during the absence.

Overtime claims for HEW 8 and above requires Senior Manager/Executive Manager approval.

An employee asked to work unreasonable overtime may appeal to the relevant Senior Manager.

RELEVANT FORMS
The Overtime Claim form is available through the link on the HRS forms webpage under Pay and Benefits.

There is no form for TOIL. A record of time accrued and time taken should be kept at the local level.

This information is provided as a guide only. Please refer to the Charles Darwin University and Union Enterprise Agreement 2013 and relevant policies and procedures.