



COLLEGE OF THE NORTH ATLANTIC
OPERATIONAL PROCEDURE

TOPIC: HOURS OF WORK AND OVERTIME

Procedure No.	HR-415-PR	Division	Human Resources
Supersedes	n/a	Board Policy Ref.	n/a
Related Policy	HR-415	Effective Date:	November 4, 2016 (R3)

PROCEDURE

1.0 Application

Where possible, every effort should be made to reduce the need for overtime and plan for those events where overtime has traditionally been a necessity. Planning for overtime should start with a thorough analysis of the reasons for its use. Overtime should be justified in relation to its causes, and the overtime budget rationalized on the same basis, especially at the operational level.

In general, managers are aware of the causes of overtime and need to know the degree to which each cause contributes to the expenditures within each program. If the reasons for the previous year's overtime expenditures are not available, it is difficult to identify what the next year's requirements are likely to be and plan how best to meet them. The following are major reasons for the use of overtime:

- workload factors -- emergencies, backlogs, additional services, maintenance of perceived levels of service or fluctuations in workload;
- absenteeism of other employees -- sick leave, vacation, training or other types of leave;
- staff shortages -- limited authorized person-years or delays in filling vacancies; and
- non-discretionary -- such as statutory holidays that must be worked and built-in overtime in shift work that is necessary to give 24-hour-a-day service with 7 1/2-hour shifts.

Most of the circumstances requiring overtime are predictable in nature, and often even the timing can be foreseen.

Departments should project the nature and extent of the overtime that is likely to be required, and where overtime represents a significant cost, analyze the causes of the need for overtime and evaluate all reasonable alternative means of meeting the requirements.

Scope:

This policy applies to bargaining unit, non-union/non-management, and management employees of College of the North Atlantic. All relevant clauses of the Faculty, Support Staff and Supported Employment Program Collective agreements apply.

2.0 Definitions

Academic Year	A year commencing on the first day of September in a calendar year and ending on the thirty-first day of August in the calendar year next following.
Administrative Employees	As defined under “employees” of the Support Staff Collective Agreement, “A collective term except as otherwise provided in the agreement including all persons employed in categories of employment contained in the bargaining unit...”
Casual Employee	An employee scheduled to work on an intermittent basis for a specific assignment and a specific period up to three weeks as outlined in a temporary employment letter, and who must submit a timesheet for attendance and payment purposes.
College	Employer as represented by the Board of Governors of the College of the North Atlantic.
Excluded	Non-union/non-management employee not included in any bargaining unit.
Fiscal Year	The period from April 1 to March 31 of the following calendar year.
Cyclical Nature of Work	The annual distribution or cycle of work. Due to the nature of a departments work, workload may not be evenly distributed throughout the year and periods of higher than normal workload may be unavoidable. Examples may include: annual budget preparation, preparation of public accounts etc.
Designated Project	A project approved by the President that is outside of the normal day to day work of the department. Examples include: acquisition and implementation of new computer systems, major departmental restructuring, public inquires etc.
Temporary Assignment	The performance, in an acting capacity, of the full scope of the duties and responsibilities of another position which has a higher classification than an employee’s regular position as assigned in writing by the President, for the following periods: <ol style="list-style-type: none"> 1) At least twenty days in the case of

	<p>an employee whose existing classification is within the Management Pay Plan.</p> <p>2) At least five days in the case of all other employees.</p>
Faculty	As defined under “employees” of the Faculty Collective Agreement, “a collective term except as otherwise provided in the agreement including all persons employed in categories of employment contained in the bargaining unit.
Lieu Time	Overtime that will be taken as time off at a later date.
Overtime	Work performed by an employee in excess of his/her scheduled work week, on a day of rest, vacation day or statutory holiday as authorized by the employer.
Overtime Rate	Pay rate at the time overtime was worked. Employees will be compensated for the performance of overtime as outlined in the College’s Human Resource policy and procedures and Collective Agreements.
Supervisor	Immediate HL manager responsible for specific work area(s).

3.0 Responsibility

3.1 Supervisors

It is the responsibility of supervisors to:

- a) Plan work processes, program delivery and staff schedules to minimize overtime;
- b) Make every reasonable effort to give adequate notice to employees who are required to work overtime;
- c) Provide employees with written approval for the performance of overtime, in advance of scheduled overtime;
- d) Maintain a system of recording and tracking overtime;
- e) Develop a plan of action to reduce/eliminate overtime especially when there is a pattern of required annual overtime;
- f) Ensure that overtime is properly managed and monitored by employee’s supervisor; and
- g) Submit reports of overtime worked by employees to the regional Human Resources Compensation and Benefits Division as required by the payroll deadlines schedule.

3.2 Employees

It is the responsibility of employees to:

- a) Obtain prior approval from your supervisor and/or executive member before working overtime; and
- b) Identify when overtime is critical to the operation of the department/College.
- c) Submit records of overtime worked on a weekly basis and as required by Payroll Deadlines schedule.

4.0 Standard Hours Of Work

4.1 Employees Covered Under the Support Staff Agreement

- a) Regular scheduled hours of work are determined by the position occupied as per Support Staff Collective Agreement.
- b) The regular working day for administrative employees in positions based on 35 hours per week/7 hours per day are 8:30 am – 12:00 noon, and 1:00 pm – 4:30 pm, five (5) days per week. For full time employees in positions based on 37.5, 40, and 42 hours per week, the regular working day will be based on site requirements as approved by applicable supervisors.
- c) Full-time employees working outside the times noted in 4.1 (b), are required to complete a flex time agreement which is to be approved by his/her supervisor and placed on file in regional Human Resources office.
- d) The College, where mutually agreed (i.e. Baker Lee Dining Hall), may schedule employees to work split shifts.

4.2 Employees Covered Under the Faculty Agreement

- a) Regular scheduled hours of work are determined by the position occupied, as per Faculty Collective Agreement.
- b) Faculty schedules including Administration time are to be maintained by the supervisor in a control location to be made available to the regional Human Resources office upon request.

4.3 Management and Non-Union, Non-Management Employees

Full time employees are required to work a minimum of thirty-five (35) hours per week, consisting of seven (7) hours per day, five (5) days per week, Monday to Friday, unless otherwise required by the College.

5.0 Overtime

- A. All overtime worked must have prior authorization. Supervision will confer with Organizational Budget Analyst to verify availability of funding and appropriate cost code.
- B. The use of overtime will be kept to a minimum and overtime will be required only after other alternatives have been fully considered.
- C. As per 4.2 (b) Faculty Employees will be compensated for the performance of overtime based on their overall schedule including contact and administrative time.
- D. Payment of overtime will be granted after all appropriate documentation has been received according to the payroll deadlines schedule, complete with all required information and authorization. Any documentation not completed will be returned to the supervisor.

- E. Compensation may be payment and/or lieu time, as agreed with the employee's Supervisor, in accordance with this policy and procedures, and with the procedures outlined on the form.

5.1 Overtime Forms

All overtime must be submitted on the appropriate form, as follows:

- i. Overtime/Casual/Shift Differential Report (OCSD form) – Appendix "A".
To be used by all employees except management, to report time worked in the above situations.
- ii. Record of management overtime (RMO form) – Appendix "B"
To be used by management (HL) employees with the exception of Executive Assistants.
- iii. All overtime must be submitted according to the bi-weekly payroll deadlines located in the payroll deadlines schedule.

5.2 Employees Covered Under the Support Staff Agreement

- a) Refer to Support Staff Agreement for applicable language.
- b) Remuneration for banked overtime will be at the rate applicable when payment is made.

5.3 Employees Covered Under the Faculty Agreement

- a) Refer to Faculty Agreement for applicable language.
- b) Remuneration for banked overtime will be at the rate applicable when the time was worked.

5.4 Employees – Management, NUNM - Compensated on the HL Pay Plan Except Executive Assistants

While it is recognized that management employees are required to work longer hours as required, employees are entitled to be compensated appropriately for overtime that is determined to be beyond the scope of regular management duties.

Where it is required by the employer and with the prior approval of the President, management employees will be compensated for work in excess of their regularly scheduled work hours under the following circumstances:

- 1) Emergency situations which require an immediate response and are determined to be beyond the normal operations of the department; or
- 2) Work performed on a designated project or negotiation where time constraints are significant; or
- 3) Increased work demands, over a prolonged period of time, due to the cyclical nature of a department's work.

Compensation for work in excess of regularly scheduled work hours outside of the above situations requires Treasury Board approval.

5.4.1 Calculation of Compensation

- a) In situations when an employee is approved to work

overtime resulting from emergency situations which require an immediate response and are determined to be beyond the normal operations of the department, the employee will be reimbursed at time and one half for each overtime hour worked based on the employee's current salary.

- b) In situations when an employee is approved to work overtime resulting from:
 - i. Work performed on a designated project or negotiation where time constraints are significant; or
 - ii. Increased work demands, over a prolonged period of time, due to the cyclical nature of a department's work.

The employee shall be compensated at straight time for each hour of overtime worked in excess of two and one half (2 ½) hours a week, based on the employee's current salary.

- iii. Overtime payment will be reimbursed at the employee's permanent salary except where an employee is in a temporary assignment; overtime earned and paid during the period of temporary assignment will be paid at the temporary assignment rate of pay.
- iv. An employee may request to receive time off in-lieu (TOIL) of overtime at straight time, within 72 hours of the overtime concluding. Employees are encouraged to use their TOIL in the same fiscal year as it is earned and, with the exception noted below, the maximum amount of TOIL an employee can carry forward into another fiscal year is 70 hours. Employees who work overtime and have TOIL in excess of 70 hours shall be reimbursed with pay only.
- v. In cases in which the President does not consider the overtime compensation outlined in this policy to be appropriate, given the work situation in the department, an alternative method of compensation may be submitted to the Treasury Board for consideration.

5.5 All Employees – Lieu Time

- 1) As noted in 5.2, and 5.4 above, remuneration for banked lieu time will be at the rate applicable when the time is paid out.
- 2) As noted in 5.3 above, remuneration for banked lieu time will be at the rate applicable when the time was worked.
- 3) Contingent upon agreement between the supervisor and employees, overtime may be compensated as time off in lieu or as payment.
- 4) Lieu time is subject to the following provisions:
 - Time off is to be taken at a mutually agreeable time within twelve months of the date it was earned.

- For faculty and support staff time off will be granted as per relevant articles of their respective Collective Agreements.

5) Annual Reviews – Administrative Employees, HL Employees:

- Annual reviews will be conducted following the end of the fiscal year during April.
- In the event that an employee cannot take the time off within the 12 months outlined above, the lieu time will be paid out by the end of May.

6) Annual Reviews – Faculty

- Annual reviews will be conducted following the end of the academic year during September.
- In the event that an employee cannot take the time off within the 12 months outlined above, the lieu time will be paid by the end of October.

6.0 Procedures for Completing Overtime/Casual/Shift Differential Report (OCSD Form) – Appendix “A”

To be used by all employees, except management, to report time worked in the above situations. Compensation may be payment and/or lieu time, as discussed with the employee’s supervisor, in accordance with the policy and procedures, and with the procedures outlined on the form.

- A. It is the responsibility of the employee to ensure all required fields in Sections 1, 3, 4 are completed prior to submission of report to the Human Resource Compensation and Benefits Division. Section 2 is to be completed by the supervisor prior to the working of any overtime.
- B. Forms received without all necessary information will not be processed for payment or for banking of lieu time.
- C. All time must be pre-approved by the applicable supervisor prior to work commencing.
- D. All time must be submitted according to the bi-weekly payroll deadlines.
- E. Section 1 - Pre-Approval

To be completed by employee in consultation with the supervisor.

- Required fields: All those from “name to supervisor signature” & “date”.
- The purpose of this section is to provide information agreed upon by the employee and his/her supervisor specifying the dates, total number of hours, compensation rate and method for the time to be worked.
- Authorization designation (i.e. Contract Training) is to be used when the originating supervisor is in a separate location than the employee, at which point s/he will designate the on-site supervisor with the authority to monitor and approve the time worked.

F. Section 2 – Supervisor Use

To be completed by the supervisor in consultation with Organizational Budget Analyst.

- Required fields: All
- The purpose of this section is to provide the budget information for the cost incurred in the payment or banking of lieu time involved for this report. The supervisor in consultation with the organizational budget analyst or budgeting section, as necessary, will ensure funding is available and the cost is charged to the appropriate department.

G. Section 3 - Record of Actual Time Worked

To be completed by employee as time is worked.

- Required fields: All
- Each date/day must be entered individually, and must be within the dates noted in Section 1.
- Details of work performed must be completed.
- Actual time worked must reflect the time of day and must be outside the employee's normal working hours. Actual number of hours must be equal to the time span worked. For example, 7:00 pm to 9:30 pm is outside the employee's normal working hours and is 2.5 hours in duration.
- Total hours worked must not exceed the total approved in Section 1.

H. Section 4 - Summary and Approval

To be completed by employee and supervisor.

- The employee will indicate the actual number of hours worked in each category.
- The number of hours must not exceed the total approved in Section 1.
- Compensation rate must reflect that agreed to in Section 1.
- Do not convert the number of hours worked from straight time to time & half, this will be calculated by Regional Human Resources Office by converting the pay rate to time & half where applicable.
- Employee and supervisor will sign and date the report.
- The report will be submitted to the Compensation and Benefits Division for processing.
- It is acceptable to fax the report if your work location does not have an on-site Regional Human Resources Office; however, the original report must be mailed to HR within 2 working days of the date it was signed.

I. Section 5 - Compensation and Benefits Human Resources Office

To be completed by Human Resources representative.

- Role of regional Human Resources representative:
- Verify the dates worked and the total number of hours are within those approved in Section 1.
- Verify the actual time worked is outside the employee's normal work hours.
- Verify the actual no. of hours accurately reflects the time indicated in "actual time worked".
- Verify the eligibility for shift differential based on the actual time worked.
- Verify the dates submitted do not overlap with any previous reports received.

7.0 Procedures for Completing Management Overtime Report (MOR Form) – Appendix “B”

To be used by management (HL) employees, with the exception of Executive Assistants.

1. It is the responsibility of the employee to ensure all required fields in Sections 1,3,4 are completed prior to submission of report to the Human Resources Compensation and Benefits Division.
 - a. Forms received without all necessary information will not be processed for payment or for banking of lieu time
 - b. All time must be pre-approved by the applicable supervisor and executive member prior to work commencing.
2. Section 1 - Pre-Approval
 - To be completed by: employee in consultation with supervisor.
 - If management, preapproval is also required by departmental executive member.
 - Required fields: All
3. Section 2 – Supervisor Use
 - To be completed by supervisor in consultation with organizational budget analyst.
 - Required fields: All.
 - The purpose of this section is to provide information agreed upon by the employee and his/her supervisor pertaining to the dates, total number of hours to be worked, etc.
4. Section 3 - Record of Actual Time Worked
 - To be completed by employee as time is worked.
 - Required fields: All

- Each date/day must be entered individually, within the dates noted in Section 1.
- Record of actual hours worked must be completed.
- Actual time worked must be outside the employee's normal working hours.

5. Section 4 - Approvals

- To be completed by employee, supervisor and executive member.
- The total claimed hours must not exceed the total approved in Section 1.
- Indicate whether overtime will be banked in lieu or paid in accordance with the compensation grid provided. Managers cannot carry more than 70 hours in a lieu time bank.
- Employee and supervisor will sign and date the report.
- In the case of management, the approval of the departmental executive member will be required.
- The report should now be submitted to Human Resources Compensation and Benefits Division for processing.
- It is acceptable to fax the report if your work location does not have an on-site Human Resources office; however, the original report must be mailed to HR within 2 working days of the date it was signed.

6. Section 5 - Human Resources Compensation and Benefits Office/Payroll

To be completed by regional Human Resources Compensation and Benefits & Payroll division personnel.

- Role of regional Human Resources office clerk:
 - a) Verify all required information is completed.
 - b) Verify the dates worked and the total number of hours claimed are within those approved in Section 1.
 - c) Verify the actual time worked is outside the employee's normal work hours.
 - d) Verify the actual no. of hours accurately reflects the time indicated in "actual time worked".
 - e) Verify the dates submitted and period worked do not overlap with any previous reports received.
 - f) Verify for management, verify banked lieu time does not exceed 70 hours.

8.0 Authorities

- Support Staff Agreement signed February 13, 2009
- Faculty Agreement signed in June 20, 2009

- College Act 1996 – Section 15 1 (h)
- Government of NL –Human Resources Policy Manual

9.0 Appendices

1. Overtime/Casual/Shift Differential Report (OCSD form)
2. Management Overtime Report (MOR form)

Approval History	
Approved by President	September 15, 2009
Revision 1	November 23, 2010
Revision 2	April 9, 2013
Revision 3	November 4, 2016