

Non-Bargaining Employee Overtime Policy

1.0 Policy Statement

Guiding Principles

It is the City of Mount Pearl's priority to promote and protect the health and well-being of our employees. A healthy work-life balance is one way to accomplish this goal. Modernized management overtime policies reflect today's workplace realities and promotes inclusivity to ensure that everyone has equal opportunities to thrive and succeed in their career.

The City of Mount Pearl recognizes there are times when employees will have to work beyond their scheduled time to meet the operational requirements of the City and if additional time is worked this policy outlines how it will be recognized or compensated.

Purpose

To provide fair and equitable compensation to employees that are required to work beyond their regular hours of work.

Objectives

The City recognizes that the operation of the City includes overtime as part of the workplace and that management employees are required to work the necessary hours to fulfill their responsibilities. This policy is guided by the following objectives:

- 1) Ensure that all employees' health and well-being is protected and maintained.
- 2) Provide the employees with fair and appropriate compensation reflective of the amount, type, and frequency of overtime worked.
- 3) Allow the City to operate in an effective and efficient manner.

2.0 Definitions

"Authorized" shall be defined as approval received from the employee's director or manager.

"Non-bargaining" shall be defined as *all* those City employees that are not part of a collective agreement with a trade union and who is paid a salary for a regular work week of either 37.5 or 40 hours.

“Management” shall be defined as those employees who have responsibility for day-to-day management and administrative functions and may perform their duties with independent action, autonomy and discretion.

“Non-bargaining/non-management” shall be defined as those non-bargaining employees in the administrative, professional and technical positions who do not perform management functions defined above.

“Exception Employees” are those employees whose positions have been carefully considered and recognized as having unique overtime requirements unlike that of other non-bargaining employees.

“Lieu time” shall be defined as authorized time taken off during regular working hours with no reduction in salary.

“Overtime” shall be defined as authorized time worked either consecutive or non-consecutive to regular hours of work, but the following shall not be considered as overtime:

1. Work through morning or afternoon break periods.
2. The time worked, in addition to regular work hours, that is of a duration of less than 30 minutes in any one day OR 2.5 hours in a regular work week.

3.0 Assignment of Overtime

While striving to deliver high quality municipal services, programs and facilities, overtime shall be kept to a minimum and will not form a regular part of the work schedule.

Work must be planned and allocated in such a way to avoid or minimize overtime as much as possible. Required overtime should be scheduled in advance, where possible, and at a time that will minimize the impact on an employee’s personal life.

In all cases, the employee must obtain permission in advance from their direct supervisor/manager to work additional time. When permission is not granted, the time worked will be considered unauthorized and the overtime worked will not be recognized nor compensated.

Overtime work, to qualify for compensation, must represent a genuine and immediate need and must be authorized prior to the commencement of such work.

4.0 Modified Hours of Work (Flex) Arrangement

Modified hours of work arrangements will play a significant role in the City’s reduction of overtime hours and promotion of work-life balance and applies to non-bargaining/non-management. When employees are required to work in excess of their regular work

week, their supervisor will encourage them to use a modified hours of work arrangement.

A modified hours of work arrangement allows employees who work overtime to take compensating time off. Where feasible, the compensating time off should be used within two weeks of the occurrence. Where modified work hours are not possible, time in lieu may be banked per the attached table.

A modified hours of work arrangement must be authorized by the employee's director or manager in advance of the excess time being worked and the approval shall not be unreasonably withheld.

Any time that forms part of an authorized modified hours of work arrangement shall not be recorded as overtime in the City's employee time and attendance record keeping system.

Any time that an employee earns through an authorized modified hours of work arrangement shall not be used in the calculation of either paid compensation for overtime or accumulation of lieu time.

5.0 Compensation Lieu Days

For Management employees only, extra time worked is inherent in the responsibilities of the position and recognized in compensation. Modified hours of work (flex) is often not feasible due to operational requirements. For these reasons, Management Compensation Lieu Days will be allocated annually per the attached table. Management employees are encouraged to avail of these days throughout the year in promotion of a healthy work-life balance.

6.0 Time in Lieu

Where it is not feasible to participate in a modified hours of work (flex) agreement, non-bargaining/non-management employees may bank up to 70 hours in a time off in-lieu bank.

Employees are encouraged to use their time off in-lieu in the same fiscal year as it is earned. The maximum amount of TOIL an employee can carry forward into another fiscal year is 70 hours. Upon termination of employment, employees may be paid out a maximum of 70 hours of TOIL at straight time pay.

7.0 Exception Employee Group

Employees in the non-bargaining exception employee group are encouraged to bank time off in-lieu where feasible, subject to operational requirements, and to use this time in the promotion of work-life balance.

Due to the unique nature of the work performed, compensation for overtime that is performed due to a genuine need, and is approved in advance by a superintendent, manager or director, the exception group employees may choose overtime pay at a rate of 1.5 time per hour worked for work performed on a day of rest. Work performed beyond weekly scheduled shifts in excess of 30 minutes per day may be paid at a rate of 1.5 time per hour worked.

8.0 Compensation for Public Holiday Overtime

All non-bargaining employees are entitled to 2.0 time pay OR time off in-lieu for any work which is worked on a public holiday due to a genuine and immediate need.

9.0 Overtime Allocation Per Role

See attached Schedule A outlining the approved overtime allocation per role.

10.0 Exemptions

In cases of emergency, critical work or exceptional duties, exemptions may be made to the policy at the discretion of the Chief Administrative Officer.

11.0 Monitoring of Non-Bargaining Employee Overtime

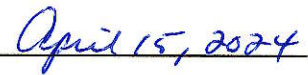
The Corporate Services Department shall maintain a list of the individual positions that are included as part of the management, non-bargaining/non-management and exception employees as defined by this Policy (Schedule A) and update the schedule as necessary.

The Manager of Human Resources shall do annual audit of non-bargaining employee overtime to determine trends and suggest ways to reduce excessive overtime.

12.0 Approvals



Dana Spurrell, Chief Administrative Officer



Date

SCHEDULE A

Position	Management Overtime Allocation
<p><u>Management</u></p> <p>Chief Administrative Officer</p> <p>Director of Corporate Services</p> <p>Director of PED</p> <p>Director of Public Works</p> <p>Director of RCS</p> <p>Manager, Finance</p> <p>Manager, Information Technology</p> <p>Manager of Engineering Services</p> <p>Manager of Development and Planning</p> <p>Manager of Facilities Maintenance</p> <p>Manager, Community Services Programs</p> <p>Manager, Human Resources</p> <p>Recreation Facilities Manager</p> <p>Municipal Enforcement Superintendent</p> <p>Works Superintendent</p> <p>Assistant Manager, Information Technology</p> <p>Assistant Manager of Engineering Services</p> <p>Finance Supervisor</p> <p>Manager, Economic Development & Housing</p>	<p><u>Management Compensation</u></p> <p><u>Lieu Days</u></p> <p>5 days per calendar year</p> <p><u>Statutory Holidays</u></p> <p>2.0 time pay or TOIL</p>
<p><u>Non-bargaining/Non-management OR</u> <u>Administrative, Professional and Technical</u></p> <p>Marketing and Communications Officer</p> <p>Marketing and Economic Development Officer</p> <p>Human Resources Officer CH/Depot</p> <p>Human Resources Officer Summit/Glacier</p> <p>Health and Safety Officer</p> <p>Records and Information Management Officer</p> <p>CS Executive Assistant</p> <p>RCS Executive Assistant</p> <p>PED Executive Assistant</p>	<p><u>Time Off In-Lieu</u></p> <p>1.5 TOIL up to 70 hours</p> <p><u>Statutory Holidays</u></p> <p>2.0 time pay or TOIL</p>

PW Executive Assistant Human Resources Assistant Senior Engineer	
<u>Exceptions</u> Legislative Officer / City Clerk CAO Executive Assistant Public Works Forepersons Municipal Enforcement Officers Community Events Coordinators Recreation Supervisor, Aquatics Assistant Recreation Supervisor, Aquatics Recreation Supervisor, Youth Services Recreation Supervisor, Facility & Sport Tourism	<u>Days of Rest</u> 1.5 time pay or TOIL <u>Overtime</u> 1.5 time pay or TOIL <u>Statutory Holidays</u> 2.0 time pay or TOIL