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### **Overtime policy**

This policy is effective from 1st November.

1. **Purpose**

Edinburgh Napier University aims to minimise overtime payments aligning with best practice and the Working Time Regulations 1998. The University recognises that on occasion business circumstances will require occasional overtime working.

1. **Application of policy**

This Policy applies to employees of Edinburgh Napier University, collectively referred to in this Policy as ‘staff members’.

1. **Variations to this policy**

Edinburgh Napier University reserves the right to terminate, replace, or vary this policy from time to time.

1. **Rights and responsibilities**

Edinburgh Napier University will:

* Manage overtime payments to a minimum
* Ensure that any overtime work is kept to a minimum whilst ensuring the health and safety of staff members

All staff members must:

* Only claim for overtime payment for excessive hours worked

1. **Eligibility**

Eligibility for overtime payments or time off in lieu will be available to staff as follows:

* Staff whose contracts of employment include specified hours of work.
* Staff in Grades 1-4 will be entitled to either overtime payments or time off in lieu, in accordance with the agreed rates as set out below.
* Staff in Grades 5-7 will be entitled to time off in lieu, as set out below.

Hours worked within an approved flexi-time scheme will not attract overtime allowances unless overtime is agreed in advance with the line manager.

Overtime working is voluntary and is not a contractual obligation.

**2. Hours of work**

Staff who are contracted to work the standard working week of 35 hours, must work these hours in full before any overtime is payable. Staff who are contracted to work less than 35 hours per week, will receive plain time up to 35 hours.

If overtime working is requested on a Sunday or a Public holiday, then the rates in 3.2. will apply.

**3. Overtime rates**

Allowances for overtime working are:

* 1. Hours worked above 35 hours (Monday to Saturday) will be paid at *time and a quarter*.
  2. Any hours worked as approved overtime on a Sunday or an Edinburgh Napier University recognised public holiday (irrespective of whether 35 hours have been worked) will be paid at *time and a half*.

**4. Calculation of overtime**

Overtime of less than half an hour in any one day cannot be claimed.

Overtime payments should be rounded down to the nearest quarter of an hour on a daily basis, i.e. 35 minutes overtime worked, would be rounded down to 30 minutes.

1. **Overtime claims**

The following applies when making a claim for overtime.

* 1. Any overtime working must be agreed in advance with the *line manager*, and approved by the *authorised person*. If this is not agreed in advance then overtime will not be paid.
  2. Advance warning of overtime working will be given wherever practicable, but it is inevitable that some overtime may be required at short notice due to sickness or other emergencies.
  3. Line managers must make it known to the staff member who will be performing the non-contractual overtime, the options for compensation that are available (i.e. either payment or time off in lieu depending on their grade). It is then for the staff member to decide on whether or not to work the overtime on the terms offered.
  4. The Line Manager must ensure that they have obtained the authorised person’s pre-approval prior to offering overtime hours.
  5. Overtime payments must be claimed on the overtime claim form (available at: <http://staff.napier.ac.uk/services/hr/hrdocuments/Pages/Documents.aspx>) and approved by the authorised person. Payment will not be made unless the form has been properly completely and authorised. Payments will be made in the pay month after the overtime has been worked.

6. Time off in lieu

6.1 Time taken in lieu will be equivalent to overtime rates as defined in section 3.

6.2 Time off in lieu, should be taken as soon as practicable after the period of overtime worked, subject to approval by the line manager.

**Breach of this Policy**

All staff members are required to comply with this policy at all times. If a staff member breaches this policy they may be subjected to disciplinary action or a claim for fraud and misconduct.

Please refer to the *Disciplinary Policy* and/or *Financial Regulations* for fraud and misconduct matters.

**Questions**

If a staff member is unsure about any matter covered by this policy, please contact HR&D.

**Applicable legislation**

* Working Time Regulations (1998)
* Health and Safety at Work Act etc (1974)

**Definitions**

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| Authorised person budget person | For Service area, the authorised person is the Director.  For Schools, the authorised person is the Dean.  For Property and Facilities, the authorised person is the Depute-Director. |

## **Policy version and revision information**

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| Document Control Information | |
| Title | Overtime policy |
| Version | v2.0 |
| Author | Human Resources & Development |
| Date First Approved | November 2015 |
| Last Review Date | November 2015 |
| Review Frequency | Two years |
| Scope | All University employees |

## **Change Record**

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| --- | --- | --- | --- |
| Date | Author | Version | Change reference |
| 01/08/2015 | HR&D | 1.0 | Initial draft for review/discussion |
| 05/10/2015 | HR&D | 2.0 | Internal audit recommendation and increase in overtime payments |
| 13/10/2015 | HR&D | 3.0 | Department feedback |
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