

COUNTY OF ST. PAUL NO. 19

Our Mission - To create desirable rural experiences



HR-21 Overtime Policy

Department: Human Resources

POLICY OBJECTIVE:

~~The County of St. Paul desires to establish a framework for the compensation of additional work, which an employee is required to perform after their normal hours of work, to specify who qualifies for compensation, and to promote the responsible management of overtime expenditures.~~

The County of St. Paul desires to establish an overtime payment structure for compensation that exceeds the base hours of work set out by the County for its various employment categories.

POLICY STATEMENTS:

1.0 Definitions

1.1 The following terms shall be defined as follows:

- (a) "Administration Office Employees" means employees that work on a regular basis at the County of St. Paul's Administration Office;
- (b) "Road Construction and Road Maintenance Employees" mean employees who, in accordance with the Alberta Employment Standards Regulation, are employed as part of a municipal district employed in road construction, road maintenance, or the removal of snow from roads;
- (c) "Summer Season" means the summer operating hours, which run from roughly mid-April to mid-October, with specific dates to be determined by management, and communicated to staff annually; and
- (d) "Winter Season" means the winter operating hours, which run from roughly mid-October to mid-April, with specific dates to be determined by management, and communicated to staff annually.

2.0 Eligible Overtime Hours

2.1 Only hours worked at a regular rate of pay **worked hours** are used to determine overtime eligibility. ~~No sick leave, bereavement leave, or worked general or declared holidays may be used to accrue overtime.~~

2.2 Overtime must be approved by the employee's Supervisor prior to being worked.

3.0 Calculation of Overtime

3.1 Overtime for all non-supervisory staff in permanent positions with the prior approval of administration shall be calculated based on the following:

(a) **Administration Office Employees:** Based on a seven (7) hour day, **or thirty-five (35) hours per week, whichever is greater;**

~~(b) Road Construction and Road Maintenance Employees: Based on an eight (8) hour day in winter, nine (9) hour day in summer, and 191 hours per month. If, in the first or last month of employment 191 hours is not reached, 44 hours per week will be used to calculate overtime; and~~

(i) **For the Winter Season, authorized overtime will be applied for hours worked in excess of eight (8) hours per day or 191 hours per month, whichever is greater; however, in either the first or last month of employment, if the employee works less than 191 hours, authorized overtime will be applied for hours worked in excess of eight (8) hours per day or 44 hours per week, whichever is greater; and**

(ii) **For the Summer Season, authorized overtime will be applied for hours worked in excess of nine (9) hours per day or 191 hours per month, whichever is greater; however, in either the first or last month of employment, if the employee works less than 191 hours, authorized overtime will be applied for hours worked in excess of nine (9) hours per day or 44 hours per week, whichever is greater.**

(c) **All Other Employees: Based on an eight (8) hour day or forty-four (44) hours per work week, whichever is greater.**

~~• Family and Community Support Services Seasonal Personnel: Based on an 8 hour day, 44 hour week~~

~~• Librarians: Based on an 8 hour day, 44 hour week~~

~~b) Overtime for other contract employees shall be calculated as provided in the employee's contract of employment and in accordance with the *Employment Standards Code*.~~

3.2 All overtime worked is to be recorded on time sheets and remitted to your ~~—designated~~ **the employee's s**Supervisor or manager on a **bi-weekly or** monthly basis **as per the employee's pay schedule.**

4.0 Payment or Banking of Overtime

4.1 Overtime shall be paid out **or banked where an overtime agreement is in place to do so,** ~~to an employee~~ at a rate of one and a half times **(1.5x)** their hourly rate of pay.

~~3.2 Overtime shall be granted only if the employee has obtained their supervisor's prior approval to work the overtime.~~

~~3.3 The Chief Administrative Officer or their designee has the authority to approve overtime for management and supervisory staff when deemed appropriate. The terms and conditions will be set out on a case by case basis.~~

4.2 While management and supervisory staff are ordinarily not entitled to any overtime or other additional forms of compensation for hours worked in excess of a regular work day, when determined to be appropriate and in their absolute discretion, the Chief Administrative Officer or their designee has the authority to approve and provide management and supervisory staff with time in lieu in recognition of the excess hours worked. The terms and conditions governing such time in lieu will be set out on a case-by-case basis.

4.3 An employee who has entered into a written overtime agreement with the County as outlined in Section 5.0 of this policy with the County, may take paid time off in lieu of payment of overtime at a time approved by their **s**Supervisor.

4.4 Within this written overtime agreement, ~~A~~an employee shall take paid time off in lieu of payment of overtime within six (6) ~~—~~months of the time the overtime was earned. Any overtime earned and not taken in lieu of payment within six (6) months shall be paid out in the first pay period ~~—~~following the six (6) months period at a rate of time and a half.

4.5 Earned time off in lieu of overtime shall be treated as hours of work and remuneration paid in respect of time off in lieu of overtime shall be treated as wages.

4.6 Any outstanding bank time will be paid out at the employee's termination of employment with the County.

~~Overtime shall only be paid if the employee had their supervisor's prior approval to work the overtime.~~

~~4. Paid Time Off In Lieu of Payment of Overtime~~

- ~~a) All non-supervisory employees may bank hours provided the banked hours are approved by their direct supervisor.~~
- ~~b) Overtime may be banked by an employee at a rate of one and one half times their hourly rate of pay.~~

- ~~f) If an employee leaves work for any personal reason, the employee will use banked hours or vacation time to offset the time taken off.~~
- ~~g) Under exceptional circumstances such as when an employee is engaged in volunteer activities in the community or when banked hours and vacation time have been exhausted, the Chief Administrative Officer or their designee may approve, for a defined period of time, a plan for an employee to make up time.~~

5.0 Overtime Agreements

- 5.1 All non-supervisory staff **who wish to receive approved banked time in lieu of overtime pay** shall sign an overtime agreement. ~~in the event that they wish to bank overtime.~~
- 5.2 Requests to change an employee's **decision to either have their overtime banked or paid out requires advance notice.** ~~participation in the County's Overtime Agreement Program shall require one pay period's advance notice.~~

Council Approval: September 14, 2010
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