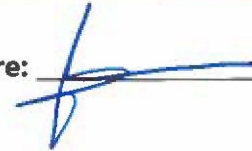

TITLE: OVERTIME POLICY – NON-UNION EMPLOYEES
SECTION: HUMAN RESOURCE MANAGEMENT
POLICY NO: 04000-05

APPROVAL DATE: March 27, 2023

CAO Signature: _____



POLICY STATEMENT

It is the policy of the Town of Amherst to provide and sustain appropriate staffing levels during normal working hours in order to reduce the necessity for overtime work. When employees are required to work extra time in addition to their normal working hours, it is the intent of the Town to provide fair compensation and they shall be compensated for such overtime as set out in this policy.

PURPOSE

The purpose of the overtime policy is to provide for the authorization, administration and compensation for overtime worked by non-union employees of the Town.

OBJECTIVE

The objectives of this policy are to:

1. Determine which employees are eligible for overtime;
2. Identify the methods of compensation for overtime;
3. Define the process for authorization and approval of overtime and;
4. Explain the administration and use of overtime earned.

ELIGIBILITY

1. All non-union casual employees, as per Appendix "B" of the Salary Administration Policy are eligible for overtime compensation in accordance with Nova Scotia Employment Standards legislation.
2. All non-union employees as indicated in Appendix "C" of the Salary Administration Policy, are eligible to receive compensation for hours worked in excess of their normal weekly hours of work.
3. Directors and the Deputy Chief of Police are not eligible for overtime. Reasonable compensatory time off based on straight time may be approved at the sole discretion of the CAO (for Directors) and the Chief of Police (for the Deputy Chief of Police).

APPLICATION

1. Overtime must be pre-approved by the applicable manager, except when emergency or urgent conditions prevent the ability to obtain advance approval.
2. Where possible and desirable, an employee's schedule may be adjusted to accommodate the need to work outside of normal working hours in an effort to keep the employee's total hours worked for the week within their usual number of hours thereby eliminating the need for overtime.

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4. Department Directors will ensure workloads are managed appropriately to reduce the need for overtime and will exercise discretion in the utilization of overtime within their department.
5. Compensation for all overtime will be via time off in lieu. All overtime worked shall be banked into the employee's overtime bank at the applicable rates set out below. Every reasonable effort will be made to provide time off in lieu at a mutually agreeable time between the employee and their manager however, time off may be scheduled by the applicable manager if required.
6. Overtime hours accumulated in an employee's overtime bank shall not be paid out unless expressly approved and at the sole discretion of the CAO, or upon resignation/retirement/termination of employment.
7. Overtime may be paid out to non-union Fire Department personnel in exceptional circumstances whereby time off interferes with operational continuity, at the discretion of the Fire Chief.
8. Employees are permitted to bank a maximum of one-week of earned overtime hours, based on their usual number of hours worked in a week (i.e 35 hours/week). This limit may be increased at the sole discretion of the CAO when a plan is in place to utilize the banked hours at a later date.
9. Non-union Firefighters whose regular work schedule consists of one shift worked (24 hours) followed by three shifts off (72 hours), are permitted to bank no more than three (3) worked shifts in their overtime bank (i.e 108 hours).
10. Once the maximum number of overtime hours has been reached, the manager and employee will establish an appropriate plan to use the banked hours within a reasonable amount of time. Time off to reduce non-union Firefighter and Fire Inspector overtime banks will be at the sole discretion of the Fire Chief in order to ensure continuity in operations.
11. Time spent travelling to/from or in attendance at conferences or training courses is not eligible for overtime compensation.
12. Unused overtime hours at December 31 may be carried forward upon approval of the CAO, however an employee's overtime time bank shall not exceed the maximum allowable number of hours as set forth in this policy.
13. Employees are not permitted to work through the lunch hour in order to bank overtime.

RATES

Employees who are eligible for overtime shall be compensated at the following rates:

- a. Non-union casual employees, as indicated in Appendix "B" of the Salary Administration Policy, shall be compensated for overtime in accordance with Nova Scotia Employment Standard legislation.
- b. Non-union employees, as indicated in Appendix "C" of the Salary Administration Policy, shall bank the hours worked in excess of their regular number of hours worked in a day at 1.5x.

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- c. Employees who may be required to work on a holiday will receive overtime compensation in accordance with Nova Scotia Employment Standard legislation, if eligible for holiday pay.

CALL-IN

Employees who have left their workplace at the end of a regular day's work and are called back to perform unscheduled work before their next scheduled day of work shall be compensated for a minimum of three (3) hours, or the actual hours worked, at 1.5x their regular rate of pay, whichever is greater, to be banked and taken as time off in lieu.

Due to the ability to monitor and check on alarms from remote locations with available technology, Public Works employees will not be paid overtime unless they are required to report to work to resolve the issue.

Fire Inspectors who are called in while off-shift for emergency response shall be compensated at 1.5x their regular rate of pay for a minimum of three (3) hours, or actual hours worked, whichever is greater. Call in hours may be banked into the employee's overtime bank at 1.5x or paid out if so requested, at the discretion of the Fire Chief.

ON-CALL

Employees required to be on-call on a scheduled basis, such as Public Works non-union supervisors/managers, will be compensated at 1.5x their regular rate of pay for time worked only.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Chief Administrative Officer	The Chief Administrative Officer will: <ul style="list-style-type: none"> a. Review, on a timely basis, all employee requests to be paid out overtime, to exceed the allowable limits of banked overtime and all requests to carry-forward overtime balances at year-end.
HR Administrator	The HR Administrator will: <ul style="list-style-type: none"> a. Monitor overtime records in employee's banks to ensure compliance with the Overtime policy.
Directors and Managers	Directors and Managers will: <ul style="list-style-type: none"> a. Strictly monitor overtime to ensure compliance with this policy; b. Thoughtfully plan the workload for their department to ensure the need for overtime is limited and only occurs when unavoidable and operational deadlines require it.
Employees	Employees will: <ul style="list-style-type: none"> a. Endeavor, as much as possible, to complete all work assigned within normal working hours; b. When overtime hours are required, seek prior approval from their manager before working overtime hours; c. Limit the amount of overtime hours worked so as to achieve a healthy balance between their work and personal lives.

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For Administrative Use Only:

VERSION LOG

Amendment Description	Policy Owner	Approved By	Approval Date
Policy Review	Crossman: Director, HR and Customer Services	Council	March 27, 2023

MINUTES REFERENCE DATE

March 25, 1996

November 27, 2006