

HOURS OF WORK

Procedure 5.5.9

Policy No. and Title	5.5	Conditions of Employment Policy
Procedure	5.5.9	Hours of Work
Version	3	
Date Adopted	31 May 2017	

1 INTRODUCTION

- a) This procedure should be read in conjunction with Clause 17 of the Local Government (State) Award (the Award).
- b) Council recognises that, in some situations, a variation to standard working hours may provide additional benefits to Council and employees. As such, Council is willing to consider proposals to vary working hours where improved efficiency or productivity levels can be achieved without detracting from our customer service commitments.
- c) Any other variation to hours of work arrangement is to be established as per Variable Work Arrangements procedure (5.5.58).

2 GUIDELINES

2.1 Operational Staff Nine day fortnight

- a) The standard hours for operational employees are 7.00am to 4.00pm Monday to Thursday, with a half hour lunch break. Employees work 7.00am to 3.30pm each alternate Friday with a rostered day off (RDO) being taken on the other Friday each fortnight.
- b) Nine day fortnight RDO's shall be taken as they fall due and may only be accrued or altered in exceptional circumstances. An Accrued Leave form is to be completed and forwarded to the Payroll Officer when the RDO is not taken. The hours will then be shown as accrued leave on the payroll system.
- c) Accrued leave resulting from the deferral of nine day fortnight RDO is to be taken within the following 4 weeks unless the relevant Manager authorises otherwise.
- d) Hours may be altered by agreement with some teams/groups of employees, particularly during summer months and for particular projects taking into account:
 - i) The employees personal circumstances including any family and carer responsibilities, and
 - ii) The needs of the workplace including any genuine operational or safety reasons.
- e) Teams or work groups are encouraged to review the arrangement of their working hours to maximise efficiency and service provision while at the same

time meeting the needs of the employees involved. Proposals should be initially discussed with the relevant Manager.

- g) The 9 day fortnight agreement may be varied with reasonable notice and consultation:
 - i) In writing by Council, if the needs of the workplace change, such that the working arrangement can no longer be accommodated due to operational or safety requirements of the workplace. Council will notify and consult with employees affected and the unions to which they belong.

2.2 Operational Staff Four day week

- a) Eligible employees are able to work four days per week by working the same number of hours for the week over four work days.
- b) Four day week arrangements will only be available where operational requirements allow. This may exclude some workgroups and/or some roles within workgroups. Eligibility does not guarantee approval.
- c) Arrangements are to be approved by the Director.
- d) Decisions regarding the days to be worked must aim to balance service delivery requirements, employee, management and individual needs.
- e) The standard non-duty day is to be mutually agreed between the employee and management.
- f) The standard duty hours for approved operational employees are 6.30am to 4.30pm worked Monday through to Friday, with a half hour lunch break. Hours may be varied by agreement between the employee and manager.
- g) The Manager may require an employee to work on a non-duty day in extenuating circumstances where it is considered essential to the operation of the workplace. A reasonable period of notice should be given. Where there is prior agreement between the Council and the employee, an employee directed to work in excess of ordinary hours may elect either to be paid the appropriate overtime rate or be granted time in lieu equivalent to the actual hours worked.
- h) For employees commencing employment or appointed to a new position after 1 July 2013 the number of hours to be recorded for a public holiday is to be the number of hours the employee would normally be rostered to work on that particular day. If a public holiday falls on a nominated day off, no hours are recorded for that day.
- i) The 4 day week agreement will cease when an employee is transferred to another role within Council.
- j) The 4 day week agreement may be varied with reasonable notice and consultation:
 - i) At the written request of the employee; or
 - ii) In accordance with Clause 17 A and/or Clause 35 of the Award.

2.3 Administrative Staff Nineteen Day Month

- a) Eligible employees for the nineteen day month will be permanent full time employees.
- b) The standard hours for office-based employees are 8.30am to 5.00pm, Monday to Friday, with a one hour lunch break, or 8.30am to 4.30pm, with half hour lunch break.
- c) Hours may be altered by agreement or by directive, in some sections (e.g Library, Customer First) to cater for customer service requirements taking into account:
 - i) The employees personal circumstances including any family and carer responsibilities, and
 - ii) The needs of the workplace including any genuine operational or safety reasons.
- d) 13 RDOs accrue each year, namely 1 per month and 3 of these RDOs are generally taken between Christmas and the New Year shutdown period except for a specified number of employees required to provide services during this period.
- e) Refer to Rostered Day Off and Flexible Working Arrangements procedure (5.5.64) for detail.
- f) The 19 day month agreement may be varied with reasonable notice and consultation:
 - i) In writing by Council, if the needs of the workplace change, such that the working arrangement can no longer be accommodated due to operational or safety requirements of the workplace. Council will notify and consult with employees affected and the unions to which they belong.

3 FLEXI-TIME SYSTEM

- a) The flexi-time system is not available to new staff or existing staff who commenced after 1 January 2003.
- b) The terms of the flexi-time system are in accordance with Clause 3.4 of this procedure.

3.1 Statement

- a) The intention of the "flexi-time" System was to provide a climate for the more efficient use of working time and enable staff to achieve a better balance between their personal and working lives.
- b) This system provides staff with the flexibility to choose their start and finish times and to take advantage of a flexible lunch break period with Managers/Supervisors approval.
- c) The rules supporting the application of a flexible working hour's system provide staff with greater freedom however it is essential that all staff adopt a responsible approach. Co-operation between the staff and management, and between employees themselves, is essential to the successful operation of the system.

- d) The operation of the system is always subject to Council's convenience.
- e) The first priority is to meet the needs and demands of Council. However, staff will be granted maximum flexibility provided no disruption to work occurs and service to internal and external customers is maintained at an appropriate level.
- f) There may be areas of Council operations where it may be difficult to fully implement flexi-time arrangements. In these circumstances agreement may be reached between staff and management to identify those flexi-time provisions that can be implemented.
- g) It is the role of all Managers and Supervisors to ensure that the flexi-time rules are adhered to.

3.2 Summary of Flex-time system

- a) Hours bandwidth: The span of hours is in accordance with Clause 17 C of the Award
- b) Lunch break: Minimum lunch break period of 30mins, to be taken between 12.00pm & 2.00pm
- c) Pay period: 1 week
- d) Settlement period: 4 weeks
- e) Debit carry-over: 7 hours
- f) Flexi-leave: Maximum of 14 hours per settlement per period.
- g) Standard hours: Daily hours 7;
Weekly hours 35;
Standard hours 8.30am to 4.30pm

3.3 Definitions

Band Width - is the full range of hours available to be worked. The span of hours is in accordance with Clause 17 C of the Award.

Settlement Period - is the period of time that staff are given to accrue their "Credit Carry Over". The Settlement period is a period of four weeks.

Standard Hours - are the standard hours to be worked over the Settlement period. The standard hours over a week are 35 and over a settlement period the standard hours are 140.

Credit Carry Over - is the amount of time worked above the required 35 hours per week (140 hours per settlement period). The maximum amount of time that can be accrued over the settlement period is 14 hours.

Debit Carry Over - is the amount of time below the required 35 hours per week (140 hours per settlement period). The maximum amount of time that staff may be in debit at the end of each settlement period is 7 hours.

Flexi-leave - is a maximum of 14 hours per settlement period.

3.4 Flexi-Time Rules

3.4.1 Hours Worked

- a) Staff may only accumulate credit hours in excess of the minimum daily contract hours where his or her Manager/Supervisor is satisfied that work is available and it is convenient for the department for the staff member to work.
- b) All staff shall be entitled to work their minimum contract hours (7 hours) on any day.
- c) Staff may select their starting and finishing times from day to day in consultation with their Manager/Supervisor. Where on any day it appears that work will not be available before 8.30am or after 4.30pm the Manager/Supervisor shall instruct the staff member not to commence duty or to cease duty prior to or after these specified times.

3.4.2 Lunch Break

- a) No more than 5 hours can be worked without taking a lunch break (see Award provisions).
- b) A minimum lunch break of 30 minutes applies.
- c) Staff should inform their Manager/Supervisor when they intend to take a lunch break more than one hour.
- d) A lunch break is to be taken between the hours 12.00pm – 2.00pm
- e) Lunch breaks outside of the specified times may be approved by the Manager/Supervisor where service levels need to be maintained.

3.4.3 Notification of Absence

- a) Staff who for any reason will not be reporting for duty on any day and who have not received prior approval are to advise their Manager/Supervisor by no later than 9.00am on the day of absence or have someone do so on their behalf.
- b) Should the staff member's Manager/Supervisor be unavailable the message is to be given to another Manager/Supervisor. Under normal conditions prior approval is to be given.
- c) Staff need to advise their Manager/Supervisor of the nature of the leave and likely length of the absence because of customer service or rostering requirements.

3.4.4 Recording of Flex-Time

- a) A Flexi-time Recording Sheet is to be completed by all staff working either flexi-time or standard hours or some other local arrangement.
- b) The Recording Sheet is to be completed on a daily basis and is to be made available for checking at any time. The completed form is to be handed in by staff at the end of each settlement period to their supervisor.
- c) Where the flexi-time sheet is completed electronically, Managers and Supervisors can have access to the sheet by shared file or other arrangements.

- d) Any staff member who is out of the office on business and is unable to return before finishing for the day is to record the actual finishing time on the Recording Sheet as soon as they arrive in the next working day.
- e) Flextime Recording Sheets are retained for a number of purposes including auditing requirements and Insurance purposes.
- f) The Recording sheet is to be completed in ink not pencil (where manual recording is used) and signed by the staff member, their Supervisor and/or Manager before being submitted to the Payroll Section for processing.
- g) Staff may not:
 - i) Deliberately falsify flex-time records;
 - ii) Record incorrect start or finish times (including lunch breaks);
 - iii) Record times for other staff on their flex-sheet, or
 - iv) Breach the flex-time rules in any other way
- h) Staff who breach the flextime rules will be subject to disciplinary action considered appropriate in the circumstances.
- i) Breaches of the flextime rules need to be reported in the first instance to the Supervisor or Manager.
- j) A copy of the Flexi-time Sheet can be found at the end of this document.

3.4.5 Debit/Credit Balances

- a) A maximum of 14 hours credit or 7 hours debit can be accrued.
- b) Excess Credit Time – Time accrued in excess of fourteen hours will be forfeited except in special circumstances as per the following:
 - i) In special circumstances a Manager may approve a carry-over in excess of 14 hours. It is emphasised that this is to occur only in exceptional circumstances.
 - ii) Examples of these circumstances include a staff member's inability to take flexi-leave because of excessive work pressures.
 - iii) Flexi-time does not accrue outside of the bandwidth times. Alternate arrangements for time worked outside the bandwidth to be approved by the Manager.
- c) Excess Debit Time – Time in excess of seven hours at the end of each settlement period will be debited to Annual Leave or leave without pay if necessary.

3.4.6 Recording Absences of Leave

- a) Absences of leave are to be recorded on the Flexi-time Recording Sheet (e.g. Annual leave, Sick leave, Study leave etc.)
- b) Days off on leave are to be based on the standard day, which is 7 hours.

- c) Public holidays are recorded as a standard day, that is 7 hours and are added to the staff member's progressive hours claimed for the settlement period.

3.4.7 Taking Flex Time Off

- a) Staff are allowed to accumulate a maximum credit of 14 hours or a debit of 7 hours at the end of each settlement period.
- b) Subject to Departmental convenience, staff can take up to 14 hours off in each settlement period.
- c) Flexi-leave is to be clearly recorded on the flexi-time Recording Sheet.
- d) Flexi-leave may be taken even though a debit balance may result at the time or at the end of the Settlement Period.
- e) Where flexi-leave is requested, the staff member must obtain the approval of the Manager/Supervisor taking into account the needs of customers or business.
- f) Under normal circumstances staff must give at least three (3) days' notice of requiring a full day flex leave.
- g) Council's service levels must be maintained.
- h) Work commitments will mean that absences on flexi-leave will need to be managed.
- i) Staff will need to participate in "turn taking". This is most likely to occur on Fridays, Mondays and days before and after public holidays.
- j) Staff are not to expect that the same day of the week will always be available to them to take flexi-leave.
- k) No more than 14 hours flexi-leave can be taken with Annual Leave.
- l) Before proceeding on a period of leave without pay, all flexi-leave must be exhausted.

3.4.8 Time Spent Travelling

- a) Time spent travelling outside of the bandwidth does not count for flexible working hours credit.
- b) This includes travel to other temporary work locations; travel on council business and travel to attend training for alternate arrangements refer Item 3.4.5.
- c) The normal travelling time to work shall be deducted from any flexible time claimed in these circumstances.

3.4.9 Resignation or Retirement

- a) Any flexi-time debit or credit balance shall be cleared prior to the last day of service.
- b) Any debit balance will result in it being deducted from any leave entitlements owing.

3.5 Guidelines for Managers/Supervisors

- a) The purpose of the flexi-time system is to support a flexible working hour's approach that meets the needs of Council and its staff.
- b) Operation of the Flexi-time system is subject to the Council's convenience.
- c) Staff are to be granted maximum flexibility provided no disruption to Council's work occurs and service to the public is maintained at a satisfactory level.
- d) Managers/Supervisors may direct staff to start and finish at times to meet work commitments.

3.5.1 Unauthorised Absences

- a) An inability to work within the flextime rules may result in the removal of the staff member from the system back to a standard hour's arrangement.

3.5.2 Flex-Time Recording Requirements

- a) All staff are to complete a Flextime Recording Sheet.
- b) The sheet can be completed either manually or electronically. Managers/Supervisors should make arrangements to have access to the sheets.
- c) Staff are to sign the Flexi-time Recording Sheet to certify that it is correct.
- d) The sheet is to be signed off by the Manager or Supervisor.
- e) The sheet is then forwarded to the Payroll Section.

VARIATION

Council reserves the right to review, vary or revoke this procedure which will be reviewed periodically to ensure it is relevant and appropriate.