



Murrumbidgee
COUNCIL

Time in Lieu and Flexible RDO Policy

| | Name | Position | Signature | Date |
|---------------------|--------------|---|---------------------|----------|
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| Authorised By | John Scarce | General Manager | <i>John Scarce</i> | 11/01/21 |

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Aim

To provide for:

1. flexibility when scheduled Rostered Days Off (RDO) can be taken;
2. how time in lieu can be applied as an alternative to being paid overtime for extra hours worked as directed; and,
3. acknowledgement of discretionary effort by staff.

Application

Applies to administrative, professional and specialist staff of Murrumbidgee Council working a 35 hour week.

Objective

This policy:

- enables staff, with prior approval from their Manager, to bank time for extra hours worked instead of receiving overtime payment when directed to work extra hours;
- enables staff, with prior approval from their Manager, to bank scheduled RDOs to be taken at a later, mutually agreeable time;
- does not diminish the need for considering and meeting operational needs when it is being applied;
- recognises the importance of flexibility for staff in the contemporary workplace and acknowledges discretionary effort applied by staff; and,
- does not override or replace any related entitlement in the Local Government (State) Award 2020 (Award), or any replacement Award.

Definitions

Time in Lieu: A situation where a staff member is directed by their Manager to work more than their rostered normal hours and there is agreement with the Manager that the extra hours so worked are designated as time in lieu (as opposed to receiving overtime payment) and such time to be taken off work at a later time agreed between the Manager and staff member. Time banked and taken as time in lieu is at time for time (no penalty uplift is applied). *Prior* approval by the Manager must be evident.

Award: Local Government (State) Award 2020, or any replacement Award

Policy

Employees can, ***with prior approval from their Manager***, on the leave credit form elect to bank:

1. Time in lieu for overtime that the employee has been directed by their Manager to work (Award provision) up to a maximum of 40 hours, (subject to Point 4 below) after which extra hours worked will be paid for at overtime rates;
2. Up to a maximum of five (5) RDOs, (subject to point 4 below);
3. Banking time under provisions 1 and 2 of this Policy is possible only if the staff member has less than 6 weeks annual leave accrued. For clarity, if a staff member has 6 weeks or more annual leave accrued they are not able to bank time in lieu or bank RDOs.

4. Maximum time banked cannot exceed 40 hours – this may comprise:
 - a. all time in lieu, or
 - b. all RDOs, or
 - c. a combination of both time in lieu and RDOs.
5. All banked time must be taken before taking annual and/or long service leave.

Staff with time in lieu banked in accordance with 1 above:

- may be directed to take all or some of the time off in accordance with Award Clause 20. Overtime A. General (vi)(b)(1) provided two (2) weeks' notice is given to the employee, or at an earlier time where there is agreement between employer and the staff member; and,
- must take the time off, whether directed or not, at a time mutually agreeable to the staff member and their Manager, being cognisant of operational and business requirements

Any RDOs banked in accordance with points 2 and 4 above:

- must not exceed a maximum of 5 at any one time;
- must be taken at a time mutually agreeable to the staff member and their Manager, being cognisant of operational and business requirements; and,
- will not be converted to overtime payment (this is separate from being directed to work on a scheduled RDO which is covered by an Award provision).

Managing Arrangements and Records

Banking of RDOs and extra hours that will be claimed as time in lieu must be recorded on the respective time sheet and dedicated form. Similarly, any banked RDO and time in lieu taken off must be recorded in the respective time sheet and on the dedicated form. The Manager must approve the timesheet and form. Approving the timesheet approves the hours worked, any banking or taking of RDOs and any time in lieu arrangements claimed, all under the provisions of this policy.

The Manager and staff member are to monitor the agreed arrangements and ensure compliance with the provisions of this policy and documents are properly approved and recorded.

Termination of Employment

In the event of a staff member ceasing employment with Murrumbidgee Council and that staff member has approved banked time in lieu and/or approved banked RDOs, the:

- banked time in lieu may be claimed as part or all of the required notice period, or;
- banked RDOs may be claimed as part or all of the required notice period, or;
- banked time in lieu and banked RDOs may be claimed as part or all of the notice period, or;
- staff member may work out the required notice period and be paid out for the banked time in lieu and/or RDOs at the appropriate (Award) rate.

Acknowledgement of Discretionary Hours (End of Calendar Year)

To acknowledge discretionary effort and extra hours worked by staff during the calendar year that have not otherwise been recognised and rewarded (including under this Policy), employees will be entitled to take off the normal work days that fall between Christmas Day and Boxing Day public holidays and the New Year's Day public holiday. That is, the rostered work days that do not fall on declared public holidays (normally three (3) days). This will be without any requirement to take accrued annual leave for this time off. If a normal RDO falls in this period this RDO will be taken on the first working day after this break.

Related Documents and Legislation

- Local Government Act 1993
- Local Government (State) Award 2020

Review

Review of the policy will be undertaken every Council term following the date of its adoption.