	<b>HOURS OF WORK AND OVERTIME</b>	<b>Human Resources Manual</b>
<b>Overtime - General</b>		<b>Section 1208</b>

## OVERTIME - GENERAL

### PURPOSE


1. To deliver programs effectively, departments may need work to be done outside of regular working hours.
2. The requirement for overtime is driven by operational needs.

### APPLICATION

3. These guidelines and procedures apply to all employees except the following:
  - Senior management; and
  - Nunavut Teachers Association bargaining unit employees.
4. Specific provisions applying to some groups of employees are provided in the subsections following.

### DEFINITIONS

5. **Overtime** means work performed by an employee (Excluded or NEU employees) in excess of or outside of his/her regularly scheduled hours of work.
6. **Double time** means twice the straight time.
7. **Employer** is the Government of Nunavut.
8. **First day of rest** is the 24-hour period starting at midnight of the calendar day on which the employee's last regular shift was completed.
9. **Hours travelled** is the time spent travelling, including a one-hour check-in period at airports, bus depots or train stations as well as a one-hour check-out period at each overnight stopover and at the final destination. It also includes time spent waiting for connecting flights, trains or buses. It does not include overnight stopovers.
10. **Lieu time** is leave provided as compensation for overtime worked, instead of cash payment.

 <p><b>HOURS OF WORK AND OVERTIME</b></p>	<p><b>Human Resources Manual</b></p>
<p><b>Overtime - General</b></p>	<p><b>Section 1208</b></p>

11. **Overtime** is work performed by an employee, at the request of the employer, in excess of, or outside of the employee's regularly scheduled hours of work.
12. A **Part-time employee** is an employee employed on a continuing basis for less than the standard work day, week or month.
13. **Second or subsequent days of rest** is the period immediately following expiration of the first day of rest, when the first and second or subsequent days of rest are consecutive. It ends when the employee's next regular shift starts.
14. **Standard hours of work** are 7.5 hours a day, 37.5 hours a week for the public service generally: eight hours a day, 40 hours a week for trades, labourers and some other employees based on job function. The standard hours of work differ for some positions, based on specific agreements with the Nunavut Employees Union (NEU).
15. **Standby** is where an employee must be available during off duty hours and has been placed on standby status.
16. **Straight time** is the hourly rate of remuneration.
17. **Time and one-half** is one and one-half times the hourly rate of remuneration.

## PROVISIONS

18. The Public Service Regulations provide that a senior manager may require employees to work more than their daily or weekly standard hours or on a holiday where, in the senior manager's opinion, the workload requires it.
19. Compensation for overtime shall be paid when work is authorized in advance by the senior manager or a departmental official delegated to approve overtime. In all cases the authorization must be done by someone outside the bargaining unit.
20. In some instances it is impractical to approve overtime in advance, such as when an employee must work in an isolated settlement. In these cases the employer may authorize overtime after it is performed.



**HOURS OF WORK AND  
OVERTIME**

**Human Resources Manual**


**Overtime - General**

**Section 1208**

21. The employer must make sure that the employee does not control the duration of the overtime worked.
22. The employer shall make every reasonable effort to assign overtime work equitably and to give employees reasonable advance notice. This is subject to operational needs.
23. An employee may, for cause, refuse to work overtime. The refusal must be in writing. Cause may involve religious beliefs. Participation in a business or outside employment is not a reasonable ground for refusing to work overtime.
24. An employee who must work overtime shall be compensated as follows:
  - those in the NEU, each completed 15 minutes of overtime worked; and
  - for all others, each completed 30 minutes of overtime worked.

There is a minimum payment of one hour at the appropriate overtime rate.

25. Instead of paying for overtime, a department may agree to grant lieu time: the employee may request and the employer shall grant equivalent leave with pay at the appropriate overtime rate to be taken at a time mutually agreeable to the employer and the employee.
26. An employee may accumulate up to 150 hours leave with pay each fiscal year in a non-refillable bank of leave. Any additional overtime hours over 150 shall be paid in accordance with (i) and (ii) above. Any amounts in the bank of leave may be carried forward from one fiscal year to the next, provided that at no time shall the bank of leave exceed 150 hours. All amounts carried over to a new fiscal year and not liquidated by August 31 shall be paid out in the first pay in October in the new fiscal year. After the maximum is achieved, all additional overtime earned for the remainder of the fiscal year will be paid out according to the provisions of Collective Agreements or the Excluded Employees' Handbook.
27. Earned but unused lieu time credits will be carried over if requested by the employee by March 31<sup>st</sup>. If the employee does not request that lieu time be carried over, the accumulated lieu time will be paid out. Requests for lieu time to be carried over from one fiscal year to the next must be approved by the senior manager/director. Lieu time carried over to the following year must be used by the employee prior to October 1<sup>st</sup> of the


	<b>HOURS OF WORK AND OVERTIME</b>	<b>Human Resources Manual</b>
<b>Overtime - General</b>	<b>Section 1208</b>	

new fiscal year. If the carried over lieu time is not all used prior to October 1<sup>st</sup>, the unused lieu time will be paid out.

28. No lieu time may be transferred from one department to another, except with the express written consent of the employing department.
29. Authorization for overtime work must be given either verbally or in writing by the employee's supervisor prior to undertaking the overtime. In exceptional circumstances approval may be given after the overtime is worked.
30. Employees shall record the actual hours of overtime worked on the proper form. The form must include verification by the employee's supervisor and the departmental official authorized to approve the overtime.
31. Where the department has agreed to grant lieu time, the employee shall make the request on the proper form.
32. Overtime shall be paid for in the following month, when taken as salary.
33. When an employee takes lieu time, the proper form must be completed with the time recorded as "time in lieu of". It must be kept with the employee's leave records.
34. Where an employee is required to work three (3) or more hours of overtime immediately following his/her regularly scheduled hours of duty, and because of the operational requirements of the service, the employee is not permitted to leave his/her place of work, the Employer will either provide the employee with a meal or meal allowance equal to the amount of the dinner in accordance with the Duty Travel and Accommodation section of this Manual (15.08).

#### **AUTHORITIES AND REFERENCES**

35. Public Service Regulations  
Section 10, Overtime and Holidays
36. Main Collective Agreement with NEU  
Article 23, Overtime
37. Excluded Employees' Handbook  
Overtime

 <b>HOURS OF WORK AND OVERTIME</b>	<b>Human Resources Manual</b>
<b>Overtime - General</b>	<b>Section 1208</b>

## **CONTACTS**

38. For further information or clarification, please contact:

**Director Employee Relations  
Department of Human Resources  
Iqaluit, Nunavut**

**Or**

**Director Compensation and Benefits  
Department of Finance  
Iqaluit, Nunavut**