

	Title:	Non-Union Overtime Policy		
	Number:	HR – 007		
	Revision Date:	December, 2020	Approved by:	Council
	Revision Number:	1	Area:	Corporate
	Document Type:	Policy	Department:	Human Resources

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1.0 Purpose and Scope

- 1.1 The City of Welland recognizes that due to demands beyond their regularly scheduled work, some non-union employees are required to work overtime.
- 1.2 The purpose of this Policy is to outline the terms and conditions that apply to compensating non-union employees who exceed their normal working hours.
- 1.3 This Policy applies to all permanent, temporary or contract full-time non-union employees.

2.0 Definitions

- 2.1 **Overtime** - Overtime is for extra hours worked, performed outside of an employee's regular work day or work week. It is work requested by and approved by a supervisory or management employee.

Overtime is not travel time or extra hours worked voluntarily to enable an employee to work a flexible schedule.

Authorized overtime is paid out in cash or the employee may bank the time as described in this policy.

- 2.2 **Lieu Time** - Lieu time is time taken off from work with pay, instead of accepting overtime pay.

3.0 Roles and Responsibilities

3.1 Employee

- Plan and manage your workload
- Obtain approval from direct Manager or Supervisor to work overtime, as described in this policy
- Accurately record and submit extra hours worked

3.2 Manager/Supervisor

- Ensure that all overtime and time in lieu requests are approved in advance and accurately recorded
- Monitor and manage employees' workload
- Submit requests for additional overtime or lieu time to the General Manager

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3.3 General Manager

- Review and approve requests for additional overtime or lieu time, as required
- Review situations related to excessive overtime
- Authorize requests for additional overtime or lieu time for your respective departments and your direct reports

3.4 CAO

- Review and approve requests for additional overtime or lieu time from direct reports
- Review excessive overtime and lieu time with General Managers annually

3.4 Human Resources

- Assist the CAO/GM in reviewing and approving requests for additional overtime or lieu time
- Review excessive overtime and lieu time with General Managers
- Ensure that accrual accounts are accurate

4.0 Application

4.1 Pay Band 1-6

- Compensation for pre-authorized overtime shall be provided as follows;
 - Time and one-half for all hours worked, 30 minutes or greater, Monday through Saturday
 - Double time for all hours worked on Sundays and Statutory Holidays
- Employees may request to have overtime paid out in the pay period it is earned, or bank as time in lieu, to be used at a later date
- In either case, the combination of overtime paid out or taken in lieu shall not exceed two weeks (35 or 40 hours) annually
- A General Manager may approve additional overtime in a calendar year when employees cannot work a flexible work arrangement, or use another option to offset work requirements
- All accrued time, and any additional time granted, must be taken in the calendar year in which it is assigned, or it will be paid out on the final pay of the calendar year.

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4.2 Pay Band 7-10

- Compensation for overtime shall be provided as follows;
 - Two weeks (based on a 35 or 40 hour work week) of time in lieu of overtime worked shall be provided annually
- A General Manager may approve additional overtime in a calendar year when employees cannot work a flexible work arrangement, or use another option to offset work requirements
- All accrued time, and any additional time granted, must be taken in the calendar year in which it is assigned, or it will be paid out on the final pay of the calendar year
- Partial years worked shall be prorated

4.3 CAO, General Managers, Fire Chief and Deputy Fire Chief

- Compensation for pre-authorized overtime shall be provided as follows;
 - Three weeks (based on a 35 hour work week) of time in lieu of overtime worked shall be provided annually
- The CAO may approve additional overtime in a calendar year when employees cannot work a flexible work arrangement, or use another option to offset work requirements
- All accrued time, and any additional time granted, must be taken in the calendar year in which it is assigned, or it will be paid out on the final pay of the calendar year
- Partial years worked shall be prorated

4.4 Employees Performing On-Call Duties (Public Works and Transit)

- \$250 on-call premium per week, or \$35 on-call premium per day, as defined by department procedures
- Use of a City Vehicle, if required and in accordance with your departments' procedures (taxable benefit)
- Compensation for pre-authorized overtime shall be provided as follows;
 - Time and one-half, Monday through Saturday, for all hours worked in excess of 44 hours per week
 - Double time, Sundays and Statutory Holidays, for all hours worked in excess of 44 hours per week
- Overtime pay shall commence from the time you arrive on site, travel time is not included
- Employees may request to have overtime paid out in the pay period it is earned, or bank as time in lieu, to be used at a later date

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- Time in lieu shall not exceed 80 hours per year
- A General Manager may approve additional overtime in a calendar year when employees cannot work a flexible work arrangement, or use another option to offset work requirements
- All accrued time, and any additional time granted, must be taken in the calendar year in which it is assigned, or it will be paid out on the final pay of the calendar year.

4.5 General Conditions

- Overtime shall be kept to a minimum and shall not form a regular part of the normal work day
- Travel time to and from training seminars and conferences outside of normal business hours does not qualify for overtime or time in lieu
- Working through lunch breaks or other breaks as defined by the Employment Standards Act does not create an overtime situation

4.6 Entitlement - Part-time and student employees

- Part-time and student employees are entitled to overtime in accordance with the Employment Standards Act, for all hours worked in excess of 44 hours per week.
- Overtime worked on a Statutory Holiday will be paid in accordance with the Employment Standards Act.

5.0 Compliance

- 5.1 All overtime hours worked must be authorized by the employee's immediate supervisor and/or manager and documented accordingly.
- 5.2 Failure to comply with this policy may result in an employee not being compensated.

6.0 Legislation

- 6.1 Employment Standards Act

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Revision History

Date	Description of Change	Initials
December, 2020	<ul style="list-style-type: none"> Revision to Non-Union Overtime Policy – By-Law 2017-82 	AD