

**POLICY # PE 023**

**BANKED OVERTIME**

<b>APPROVAL DATE:</b>	<b>30-08-99 (August 1999)</b>	<b>CROSS-REFERENCE:</b>	
<b>RESPONSIBILITY:</b>	Personnel		
<b>APPROVER:</b>	Council	<b>APPENDICES:</b>	
<b>REVISION DATE (s):</b>	23-01-00; 13-09-03; 28-02-06 (February 28, 2006); 12-12-2017 (December 12, 2017); 2020-10-20 (October 6, 2020)	<b>REVIEW DATE:</b>	September 2023

## 1 POLICY STATEMENT

- 1.01 (a) The County of Vermilion River is committed to ensuring employees are fairly compensated for working overtime hours.
- (b) Overtime Agreements will allow for time off instead of financial compensation in accordance with *Alberta Employment Standards Code*.

## 2 PURPOSE

- 2.01 The County of Vermilion River recognizes the necessity and benefit to both the County operations and personnel to provide for banked overtime which can be taken, as outlined in an Overtime Agreement, at a future time that is agreeable to both parties.

### 3 SCOPE

- 3.01 This policy applies to all non-management, salaried, permanent, full-time employees of the County of Vermillion River.

### 4 RESPONSIBILITY

- 4.01 Employees are responsible to:
- (a) minimize the overtime required to complete their daily tasks based on their job offer and job description;
  - (b) obtain written approval from the immediate Supervisor or Director (in the Supervisor's absence) prior to the commencement of the overtime;
  - (c) ensure that any banked overtime is used within the six (6) month time frame as set forth by the *Alberta Employment Standards Code* and the *Overtime Agreement*;
- 4.02 Supervisors and Directors are responsible to:
- (a) minimize the overtime required to complete the daily tasks where it is the most effective and efficient approach. Special attention will be given to deal with work scheduled for weekends and holidays.
  - (b) approve any additional hours worked beyond the normal work hours, in writing, prior to the commencement of the overtime;
  - (c) ensure that any banked overtime is used within the six (6) month time frame as set forth by the *Alberta Employment Standards Code* and the *Overtime Agreement*;

### 5 DEFINITIONS

- 5.01 Overtime is defined as time worked by the employee in excess of the regular work hours of seven and one-half (7.5) hours per day OR thirty-seven and one-half (37.5) hours per week.

### 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

*Alberta Employment Standards Code*

## 7 PROCEDURE

- 7.01 (a) An overtime bank will be established for an employee only if the employee (or a group of employees, if a majority of the group agrees) and employer enter into a written agreement that includes the following minimum provisions:
- (i) Instead of overtime pay, time off with pay will be provided, taken and paid at the employee's wage rate at a time that the employee could have worked and received wages from the employer;
  - (ii) If time off with pay instead of overtime pay is not provided, taken and paid in accordance with clause (a), the employee will be paid overtime pay at an overtime rate of one and one-half times the employee's wage rate;
  - (iii) Instead of overtime pay, time off with pay will be provided, taken, and paid to the employee within six months of the end of the pay period in which it was earned. If the banked time isn't used within six months, it must be paid out to the employee at one and one-half times the employee's wage rate;
  - (iv) No amendment or termination of the agreement is to be effective without at least one month's written notice given by one party to the other party to the agreement.
- 7.02 All employees who bank overtime must have a signed Overtime Agreement on file.
- 7.03 The County must provide a copy of the Overtime agreement to each employee affected by it, and the County must comply with any Overtime Agreement entered into.
- 7.04 A request to use banked overtime may be granted, at the discretion of the employee's department supervisor, only when an equal amount of overtime has already been worked to offset the time requested.
- 7.05 Requests to use banked overtime should be made three (3) working days, or as early as possible, prior to the commencement of the days requested as banked overtime.
- 7.06 Banked overtime may be accumulated to a maximum of five (5) days. At the point that five (5) days is reached, overtime must cease

until banked overtime has fallen below the five (5) day threshold.

- 7.07 Time taken off without authorization will be treated as vacation or will result in the deduction of pay.
- 7.08 When an employee is away from the workplace using banked overtime, a casual or temporary employee cannot be brought in to replace that employee unless the Chief Administrative Officer deems it necessary.
- 7.09 Overtime is recorded ONLY for the hours actually worked in excess of the regular working hours of 7.5 hours per day or 37.5 hours per week.
- 7.10 Overtime is NOT accumulated while an employee is on vacation, sick leave, personal leave or other job-protected leaves. The amount of time recorded as sick leave or personal leave is the difference between 7.5 regular hours and the actual time worked that day.
- 7.11 When overtime is worked, it is to be entered as "Overtime" on the employee's monthly timesheet. When overtime is used, it is to be entered as 'Banked Overtime Used' on the employee's monthly timesheet. The accumulated overtime earned and taken will be recorded by the Payroll administrator and will be reported to Directors and/or administration on a monthly basis.
- 7.12 Banked overtime will be granted in a minimum of 30 minute increments.

## 8 ATTACHMENTS

(Overtime Agreement)

## 9 HISTORICAL INFORMATION

- 9.01 This policy was formerly referred to as 'Lieu Time'.