Overtime Policy

Section 1 - Key Information

Policy Type and Approval Body	Administrative – Vice-Chancellor
Accountable Executive – Policy	Chief People Officer
Responsible Manager – Policy	Director, Workplace Relations & Injury Services
Review Date	22 December 2026

Section 2 - Purpose

(1) This Policy aims to provide guidance to supervisors and staff on the operation of time off in lieu (TOIL) or payment for overtime worked, to ensure that it does not impact negatively on either the individual or La Trobe University (the University).

(2) This Policy is in support of and should be read in conjunction with the relevant 'Overtime' clauses in the La Trobe University Enterprise Agreement 2023, approved by the Fair Work Commission (Enterprise Agreement).

(3) The Procedure guides supervisors and staff on the implementation of overtime that includes claiming payment or TOIL.

Section 3 - Scope

(4) This Policy applies to all professional staff other than staff engaged on Senior Staff Contracts, casual staff, except for Part J which outlines when casual professional staff are entitled to overtime payments.

(5) This Policy does not apply to any hours worked in accordance with an Individual Flexibility Arrangement, Flexi Span arrangement, or Shift Work.

Section 4 - Key Decisions

Key Decisions	Role
Approving staff members overtime in writing, in advance and in the timesheet in MyHR	Supervisors

Section 5 - Policy Statement

(6) The University may require staff to work reasonable hours in excess of their ordinary hours in order to carry out specific projects, work during busy times or meet deadlines and the staff member shall, on reasonable notice, work such overtime and will receive either payment (as eligible) or TOIL.

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Unreasonable Overtime

(7) A staff member may decline to work overtime in circumstances where the working of such overtime would result in the staff member working hours which are unreasonable having regard to:

a. any risk to staff health and safety
b. the staff member's personal circumstances including any family responsibilities
c. the notice (if any) given by La Trobe of the overtime
d. any other relevant matter

(8) No member of Professional Staff shall be required to work more than an average of four (4) hours overtime per week across a calendar year, pro-rata for part-time staff.

Approval of Overtime

(9) Overtime must be approved in writing or by any electronic means by the manager in advance of the staff working the overtime.

(10) Overtime be recorded and processed in accordance with the Procedures below.

On Termination

(11) Overtime accrued and recorded as TOIL which is not taken will be paid out at the staff member’s ordinary rate of pay upon termination of employment.

Travel for Business Purposes

(12) Staff sometimes use their personal time when travelling for business purposes therefore it is important that health and safety issues be considered and managed. Supervisors should promote and ensure a flexible time-off approach is adopted to consider a staff member’s health and safety. Staff may claim fair and reasonable overtime, taken as TOIL (where eligible) when travelling for business.

(13) This Policy will not apply to staff who have an alternative arrangement allowing for a compensation process for excess travel outside business hours (as agreed between the University and the staff member).

Section 6 - Procedures

Part A - Requests

(14) The supervisor must obtain budgetary approval from an authorised budgeting officer to ensure the applicable budget allows for the overtime.

(15) The supervisor should provide reasonable notice and instructions to the staff member about the requirement to work overtime, including the time that it is expected that the overtime is worked.

(16) Where a staff member has personal obligations, the supervisor will attempt to accommodate these obligations when making arrangements for staff to carry out overtime.

(17) Subject to positional requirements, if a supervisor does not specify a time at which the overtime is to be performed, staff may request to perform overtime at a time of their choosing. Further details are outlined below in the ‘Claiming Payment’ section below.

Part B - Approvals

(18) Overtime must be approved in writing or by any electronic means by the supervisor in advance of the staff working the overtime.

(19) Subsequent confirmation in writing must include:

a. the date, commencement time, and duration of the overtime
b. the approval for the overtime to be taken as TOIL or 37
c. the approval for the overtime payment (for eligible staff) by the authorised budgeting officer

Part C - Recording

(20) Staff who are directed to work overtime should log their overtime via the Leave and Timesheets page in MyHR.

(21) Supervisors are responsible for approving staff members' overtime via the Leave and Timesheets page in MyHR.

(22) Any overtime must be logged and approved in MyHR prior to the payroll deadline to be paid for the pay period in which the overtime was worked.

Part D - Payment

(23) In accordance with the conditions/calculations detailed in the Enterprise Agreement, the following applies:

	HEO1 to HEO6	HEO7 and above
Entitlement	Payment or TOIL	TOIL
Taken By	TOIL must be taken within six months from the day on which the overtime was worked (or by agreement with the work unit).	TOIL must be taken within six months from the day on which the overtime was worked (or by agreement with the work unit).
When to Take	TOIL must be taken at a mutually agreed time between the staff and the manager.	TOIL must be taken at a mutually agreed time between the staff and the manager.
Not Taken	Any TOIL accrued and not taken within six (6) months will be paid out at the staff members ordinary rate of pay.	Any TOIL accrued and not taken within six (6) months will be paid out at the staff members ordinary rate of pay.
On Termination	TOIL accrued and not taken upon termination of employment will be paid out at the staff member's ordinary rate of pay.	TOIL accrued and not taken upon termination of employment will be paid at the staff member's ordinary rate of pay.

Meal Allowance

(24) Professional staff members will receive an overtime Meal Allowance when working approved overtime in accordance with this Policy and clause 37 of the Enterprise Agreement, as follows:

a. Weekdays – where the staff member has worked two (2) hours or more of approved overtime in any one (1) day; or
b. Weekends and University Holidays where the staff member has worked five (5) hours or more of approved overtime in any one (1) day.

(25) An overtime meal allowance will not be paid in circumstances where:

a. the staff member is not performing the overtime at a University campus or work location (E.g., they perform the overtime at home or another location of their choice) and/or

b. The University provides the staff member with a meal.

(26) All other terms and conditions as detailed in the Overtime clause of the Enterprise Agreement apply to overtime worked.

Part E - Claiming Payments

(27) Staff who are HEO 7 or above are not eligible for overtime payment but will be granted TOIL.

(28) Staff who are HEO 1 – 6 will receive overtime payment by default unless they reach an agreement with their supervisor to receive TOIL.

(29) If an HEO 1 – 6 staff member is required by their supervisor to work overtime at a time that is not continuous with their ordinary hours, the minimum payment overtime payment due to the staff member will be three (3) hours.

(30) If the HEO1 -6 staff member's supervisor does not specify a time at which the overtime is to be performed, the staff member may request to perform the overtime at a time of their choosing that is not continuous with their ordinary hours. If granted and the overtime could have reasonably been performed at a time that is continuous with the staff member's ordinary hours, the staff member will not be entitled to the above minimum overtime payment if they work for a period of less than 3 hours and will instead be paid for the overtime worked.

Part F - Claiming TOIL

(31) Staff who are HEO 7 and above will be granted TOIL for authorised overtime calculated at one and a half times the actual hours worked.

(32) Staff who are HEO 1 – 6 must seek approval from their supervisor, prior to the work being performed, to receive TOIL instead of payment for overtime.

(33) Following approval from their supervisor, Staff who are HEO 1–6 will receive TOIL in accordance with the overtime rates specified in clause 37.3 of the Enterprise Agreement. The overtime rates specified in clause 37.3 of the Enterprise Agreement are:

a. Weekdays – time and a half for the first three (3) hours and double time thereafter.
b. Saturdays – time and a half up to 12 noon (or the first three (3) hours whichever occurs first) and double time thereafter.
c. Sundays – double time.
d. University Holidays prescribed in clause 41 of this Agreement – double time and a half.

(34) TOIL is to be administered in the local business area.

Part G - Receiving Payment

(35) Should an eligible staff member claim payment for approved overtime, payment will be made in the next pay cycle after the overtime has been approved in MyHR by the supervisor in accordance with payroll cut off deadlines.

Part H - Taking TOIL

(36) The taking of TOIL should be requested a minimum of 5 working days in advance unless otherwise approved by the staff member's supervisor. If the staff member and the supervisor are unable to agree upon the time to take TOIL, the staff member may refer the matter to their next up manager for final resolution.

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(37) Any TOIL accrued and not taken within 6 months will be paid out at the staff member's ordinary rate of pay.

Part I - Termination of Employment

(38) Prior to employment terminating, staff should ensure that any approved overtime worked is recorded in MyHR for approval by their supervisor.

(39) Any accrued TOIL will be paid out upon termination in accordance with the staff member's ordinary rate of pay.

Part J - Casual Professional Staff

(40) A casual professional staff member who works in excess of 36.25 hours in any single week or more than nine (9) hours on one day will be entitled to overtime payments for the excess time worked. Where overtime is payable, the casual loading will not be payable and a casual professional staff member will be entitled to receive the casual rates as set out below:

a. Weekday and Saturday overtime – time and a half for the first three (3) hours and double time thereafter; or
b. Sunday overtime – double time; or
c. University holidays – double time and a half

(41) For the purpose of calculating a casual professional staff member's overtime, a single week is defined as being from Saturday to Friday.

Section 7 - Definitions

(42) For the purpose of this Policy and Procedure:

a. An Individual Flexibility Arrangement: is made under clause 4 of the Enterprise Agreement which can vary the effect of a term within the Enterprise Agreement.
b. A Flexi-Span arrangement: is made under clause 35 of the Enterprise Agreement which provides for staff to work outside the spread of ordinary hours on a temporary or ongoing basis.
c. Ordinary rate of pay: the rate payable to a staff member in accordance with the Professional Staff Salary Scales of the Enterprise Agreement (schedule 4) without any loadings or additional payments, except where otherwise provided for in the Enterprise Agreement.
d. Overtime: is the reasonable hours worked beyond the ordinary hours of duty. Ordinary hours are defined under clause 34 of the Enterprise Agreement.
e. Professional Staff: are all staff other than Academic Staff.
f. Shift Work: for professional staff is defined under clause 36 of the Enterprise Agreement.
g. TOIL: refers to time off in lieu.

Section 8 - Authority and Associated Information

(43) This Policy is made under the La Trobe University Act 2009.

(44) Associated information includes:

a. HR Intranet – Additional Work

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Status and Details

Status	Current
Effective Date	22nd December 2023
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Approval Authority	Vice-Chancellor
Approval Date	22nd December 2023
Expiry Date	Not Applicable
Responsible Manager - Policy	Michael Tahan Director, Workplace Relations & Injury Services
Enquiries Contact	People & Culture +61 3 9479 1234

Glossary Terms and Definitions

"staff" - Staff means any person employed by the University as per the definition in the La Trobe University Act 2009 (Vic).

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