

What you should know about overtime

The workload survey, which the CEU conducted in 2007, showed that more than 50 percent of CEU members work unpaid overtime weekly and that about 40 percent are working paid overtime weekly. Given the amount of overtime being done, everyone should understand what the collective agreement says about overtime. This column contains a summary of overtime provisions and answers some common questions.

Summary of Article 26 Overtime (OT) Provisions			
Definition of employee type	“A” Type <ul style="list-style-type: none"> • Work under direct supervision • Do not organize their own work schedules • The normal work week is Monday to Friday, between the hours of 7:00 a.m. and 5:00 p.m. 	“S” Type <ul style="list-style-type: none"> • Work under direct supervision • Do not organize their own work schedules • Their normal work week consists of 5 consecutive working days followed by 2 consecutive days of rest in a 7-calendar-day period 	“B” Type <ul style="list-style-type: none"> • Do not work under direct supervision • Organize their own schedules • The normal work week is Monday to Friday
Definition of overtime	<ul style="list-style-type: none"> • Work beyond the number of hours and minutes in the work day (including ETO time) • Work on a Saturday or Sunday or ETO day 	<ul style="list-style-type: none"> • Work beyond the number of hours and minutes in the work day (including ETO time) • Work on the first or second day of rest (of the shift rotation) or ETO day 	<ul style="list-style-type: none"> • Work beyond the number of hours and minutes in the work week (including ETO time) • Work on a Saturday or Sunday or ETO day
Approval is required	“A”, “S”, and “B” type employees must have manager approval before working OT.		
OT is voluntary	OT is voluntary. You cannot be forced to work overtime. The only exception is Prevention Officers, Engineers, or those responsible for arranging emergency transportation, who are required to respond to “any urgent call at any time relating to an accident or hazardous condition or the transportation of an injured worker”. (Article 26.06)		
Overtime Rate “1.5x” means time and one-half “2x” means double time	Monday to Friday <i>Where it exceeds 15 minutes:</i> <ul style="list-style-type: none"> • 1.5x for first 2 hours • 2x after 2 hours • May take a paid meal break of ½ hour when OT is for more than 1.5 hours Saturday <ul style="list-style-type: none"> • 1.5x for first 2 hours • 2x after 2 hours • May take an unpaid meal break of ½ hour when OT is scheduled for more than 4 hours Sunday <ul style="list-style-type: none"> • 2x for actual hours worked • May take a paid meal break of ½ when OT is more than 4 hours 	Regular days of work <i>Where it exceeds 15 minutes:</i> <ul style="list-style-type: none"> • 1.5x for first 2 hours • 2x after 2 hours • May take a paid meal break of ½ hour when OT is for more than 1.5 hours First rest day <ul style="list-style-type: none"> • 1.5x for first 2 hours • 2x after 2 hours • May take an unpaid meal break of ½ hour when OT is scheduled for more than 4 hours Second rest day <ul style="list-style-type: none"> • 2x for actual hours worked • May take a paid meal break of ½ hour when OT is more than 4 hours 	After working 38 hours and 20 minutes in a week (including ETO time) <ul style="list-style-type: none"> • 1.5x for first 2 hours • 2x after 2 hours Saturday <ul style="list-style-type: none"> • 1.5x for first 2 hours • 2x after 2 hours • May take an unpaid meal break of ½ hour when OT is scheduled for more than 4 hours Sunday <ul style="list-style-type: none"> • 2x for actual hours worked • May take a paid meal break of ½ hour OT is more than 4 hours
Compensatory Time Off (CTO)	<ul style="list-style-type: none"> • Employees may request that they be given equivalent time off (calculated at the appropriate OT rate) instead of OT pay. This must be approved by the director (or delegate). • If approved, the CTO is to be scheduled for a time mutually agreed to by the employee and director (or delegate). • CTO is paid out after December 31 of each year. • CTO is paid out prior to an employee changing positions. 		

OT questions and answers

I am an “A” type employee and I work five or ten minutes beyond my hours of work everyday. Can I get overtime pay for this?

First, you must have approval of your manager to work any overtime and overtime is not paid until you have worked at least 15 minutes outside your hours of work.

I worked three hours of approved overtime on a workday outside my regular hours. What will I be paid?

If you are an “A” or “S” type employee, the first two hours is at time and a half and the last hour is at double time. Because the overtime is more than an hour and a half, you may take a paid half hour break. If you are a “B” type employee, you are not entitled to be paid overtime until you have worked the total hours you normally work in a week, (plus ETO time, if you are in the ETO program).

My manager has asked me to work six hours on Saturday and four hours on Sunday. What will I be paid for this overtime?

On Saturday you will be paid time and a half for the first two hours and double time thereafter, with a half hour

unpaid break. On Sunday, you will be paid all double time for all hours worked. If you work more than four hours on Sunday, you will also be paid for a half hour break. This answer applies if you are an “A” type employee, such as a Team Assistant, or a “B” type employee, such as an Occupational Safety Officer. If you are an “S” type employee, this applies only if the Saturday and Sunday are your scheduled rest days

Is it possible to get time off instead of overtime pay?

Subject to the approval of your Director or designate, you may be compensated with time off calculated at the appropriate overtime rate. The scheduled time taken has to be mutually agreed to between you and your Director. If you do not take the time off, you will be paid your overtime on December 31 of the year in which you earned it.

I am a temporary employee. How is overtime calculated for me?

You are paid overtime at the same rate as permanent employees. However, you cannot receive compensatory time off in lieu of overtime pay.

Climate change – a global challenge for the future

NUPGE (the National Union of Public and Government Employees) says we should be doing more talking about global warming and climate change.

NUPGE believes that:

- The effect global warming could have on our way of life is so sweeping that we must start discussing and taking action now
- The body of scientific opinion overwhelmingly supports the conclusion that human activity is having a detrimental effect on our climate
- Canada does not have a plan for reducing greenhouse gas emissions
- All Canadians will need to change the way they go about their daily lives to significantly reduce

greenhouse gases

One of NUPGE’s contributions to the discussion on this issue is a set of policy recommendations. It is also providing information and resources on its climate change campaign on its Web site, www.nupge.ca/issues/environment.htm. If you are interested in learning more about climate change, two of the many resources you can access there are:

- “Climate Change: A Global Challenge for the Future”, a background on the issue.
- “Keeping Our Cool: A Climate Change Primer”, which is comprehensive, but easy-to-understand look at climate change. It is a great resource for students who may be studying climate change at school.