



24. Overtime



CSIRO Staff Association

This is the twenty-fourth in a series of fact sheets to assist CSIRO union members better understand and enforce our rights at work. The source of these rights is contained in the new CSIRO Enterprise Agreement 2011-2014 (EA).

Know Your Rights

Where is overtime covered in the EA?

Clause 24. This fact sheet refers to the main overtime entitlements, but members are encouraged to read the full clause.

What are the preconditions for the payment of overtime?

Payment of claims for overtime shall only be made if the overtime is authorised by CSIRO (Clause 24b).

Can an officer be required to work overtime?

Yes. An officer can be required to complete work outside the usual hours of duty, wherever it is necessary to bring up arrears of work or to meet pressure of business. However, the requirement to work overtime must be deemed to be reasonable (Clause 24a).

Who is not entitled to overtime?

- Officers whose salary (including any allowance in the nature of salary) is greater than the maximum salary for CSOF Level 4 (CSOF 4 Max);
- Officers whose hours of attendance cannot be definitely determined, such as officers whose duties comprise caretaking work; and
- Officers who do not record their attendance (Clause 24c)

What are the overtime hourly rates of pay?

- Single time for overtime performed inside the bandwidth (for a definition of the attendance bandwidth, see Know Your Rights No. 22 Flexible Working Hours);
- Time and a half for overtime worked Monday to Friday outside the bandwidth;
- Double time for overtime worked on Saturday or Sunday, where this does not form part of the ordinary hours of attendance for the week;
- Double time for overtime worked on a public holiday, in addition to payment for the public holiday (Clause 24f).

What allowances are included in salary for the purpose of overtime calculation?

- Enhanced responsibility allowance;
- Superior performance rating (premium step);
- Overpaid allowance; and
- AAHL site allowance (Clause 24e).

What is the minimum overtime payment for a weekend or public holiday?

The minimum payment shall be four hours at the prescribed overtime rate, except where the officer is in a restriction situation as specified in clause 27 of the EA (Clause 24h).

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Is there a minimum break between periods of work?

Yes. If an officer is eligible to receive overtime payments, the minimum break between ceasing ordinary duty on one day and commencing the next period of ordinary duty is 10 hours. If an officer works so much overtime that the minimum break cannot be accommodated between two periods of ordinary duty, the officer is entitled to delay the resumption of ordinary duty until the minimum break is taken, without loss of pay (Clause 24k).

Can an officer be directed to resume duty without a minimum break?

Yes. However, in these circumstances an officer will be paid at the double time rate from the resumption of ordinary duty until released from duty, at which time an officer is entitled to be absent for a continuous period of 10 hours without loss of pay (Clause 24k). Notwithstanding this provision, CSIRO has an overriding duty of care in regards to the health and safety of officers who are directed to resume duty.

Is a meal allowance paid if an officer works overtime?

Yes. A meal allowance of \$25.80 is payable where an officer (including a casual officer) works overtime and duty commences prior to a meal period and concludes after the meal period. The meal allowance amount is adjusted annually in accordance with the official rate determined by the Australian Taxation Office. The standard meal periods are:

7.00am - 9.00am; 12.00pm - 2.00pm; 6.00pm-7.00pm; 12.00am - 1.00am (Clause 24m).

Can an officer take time off in lieu of overtime?

Yes. If agreed, an officer may convert an entire overtime period to an equivalent period of time off in lieu (Clause 24j).

As a member, what if I have a question about overtime?

Your Staff Association delegate or organiser can provide advice and assistance.