



## Overtime Policy

Adopted [05/09/19] – Finance & General Purposes – Minute 1302ii

### Introduction

This policy outlines the payments made by Folkestone Town Council to employees who may work overtime, and it applies to all employees regardless of service.

Generally, employees working additional hours must accrue this as TOIL, as outlined in the council's time off in lieu policy. However, if you participate in the flexitime scheme any additional hours worked during the flexitime scheme operating hours should be recorded as a credit in line with the council's TOIL policy and not claimed as overtime.

### What are the main points?

1. All overtime must be agreed in advance with the Town Clerk and may not be claimed retrospectively.
2. All claims must be made using the appropriate overtime payment form.
3. Overtime will be paid for complete half hours worked and you are therefore not able to claim for less than 30 minutes overtime.
4. Overtime payments will be paid for all authorised overtime worked that exceeds your core weekly contractual hours.
5. Overtime rates are:
  - Overtime between Monday and Friday is paid at basic rate if included in the 37 hours per week and time-and-a-half for over 37 hours per week.
  - Overtime worked on Saturday is paid at time-and-a-half (except where contract includes weekend working).
  - Sunday and Bank Holiday working is paid at time-and-a-half if included in the 37 hours per week or double-time if in addition to the 37 hours (except where contract includes weekend working).
6. An overtime payment may only be made to recognise additional hours worked in the following situations:
  - In exceptional circumstances,
  - When proper control in determining the extent of additional hours is exercised,



When the requirement to work additional hours is planned in advance, or are expected requirement of your role, and there is a business case clearly demonstrating that it is in the interest of the council.

7. Where the above criteria are met the Town Clerk should approve the payment.
8. You are not expected to work overtime on a routine basis.
9. Hours outside the flexitime scheme period should normally be recorded as TOIL.
10. Working hours are contractually fixed, and additional hours are voluntary overtime or TOIL that is subject to approval and not compulsory variances; therefore they do not qualify for additional holiday entitlement to be accrued.

#### **Employee responsibilities**

- To be aware of the working time regulations and take responsibility for ensuring that you take required breaks and do not exceed working hours.
- To accurately complete the overtime claim form and submit it to the Town Clerk prior to accruing overtime or TOIL. You should be aware that “over claiming” will potentially be treated as misconduct and could result in disciplinary action being taken.

#### **Town Clerk responsibilities**

- To ensure that all overtime has been agreed in advance.
- To ensure that any overtime authorised is in the interests of the council and that the benefit outweighs the costs.
- To review and confirm any overtime claim forms and ensure they are processed in line with payroll cut-off dates  
To be aware of the working time regulations and take responsibility for ensuring that staff are taking required breaks and do not exceed working hours.



## **Frequently asked questions**

### **I have been asked to work some overtime. Can I say no?**

*The council would only ask you to work overtime if it was required. We understand that you have different responsibilities and commitments outside of work and you are able to say no if it is not convenient for you.*

### **Can I work overtime for another service area?**

*Yes, there may be occasions where employees from across the council may be asked to support activities which do not fall under their normal role.*

### **My normal working hours include Saturdays, Sundays and Bank Holidays. I also do extra hours – sometimes on a bank holiday or Sunday. Do I get double time if I work overtime on these days?**

*Yes, but you will only be paid the overtime rate for the additional hours worked on those days.*