



UNIVERSITY OF MANITOBA PROCEDURE

Procedure:	HOURS OF WORK AND OVERTIME FOR EXCLUDED MANAGEMENT, ADMINISTRATIVE & PROFESSIONAL STAFF
Parent Policy:	Hours of Work and Overtime for Excluded Management, Administrative & Professional Staff
Effective Date:	October 24, 2008
Revised Date:	June 13, 2012
Review Date:	October 24, 2018
Approving Body:	Administration: President
Authority:	Hours of Work and Overtime for Excluded Management, Administrative and Professional Staff Policy
Responsible Executive Officer:	President delegated to the Vice-President (Administration)
Delegate: (If applicable)	
Contact:	Associate Vice-President (Human Resources)
Application:	Employees: Excluded

Part I Reason for Procedure

To set out Procedures secondary to the Hours of Work and Overtime for Excluded Management, Administrative and Professional Staff Policy, in conjunction with:

- a) the establishment of the normal hours of work and the types of situations where these normal hours are exceeded;
- b) the procedures for authorizing overtime and banked time;
- c) the process for a waiver of the authorization of extra hours on a self-directed basis;
and

- d) the procedures regarding other forms of compensation such as shift premium, standby pay, meal allowances and northern allowance.

Part II Procedures

2.1 Normal Hours of Work

2.1.1 The normal hours of work for most positions in the Excluded Management, Administrative and Professional Staff (EMAPS) group are seven (7) hours per day and thirty-five (35) hours per week. In certain areas of the University, EMAPS staff members supervise or manage employees who work regular hours in excess of the normal hours of work identified above. In these instances, the Vice-President (Administration) may authorize a normal work week in excess of the amounts identified above.

2.1.2 Where the University applies for an Averaging Permit from Employment Standards with the Department of Labour, a regular schedule may include up to twelve (12) hour shifts and a compressed work week. Please contact your Human Resources Consultant for more information on this process.

2.2 Excess Hours of Work

There are three (3) types of situations that result in extra hours being worked as follows:

- a) Pre-authorized overtime in either a day or a week at overtime rates of pay;
- b) Self-directed work with additional vacation as compensation; and
- c) Employee initiated voluntary flex time written agreements between an individual full-time employee and his/her manager which do not exceed ten (10) hours per day and the regular hours per week.

2.3 Pre-Authorized Overtime at Overtime Rates of Pay

2.3.1 In situations where additional time is necessary outside the normal hours of work, the Unit Head may consider several measures:

- a) the adjustment, with an appropriate amount of notice, of the daily scheduled times of work or the days of the week on which the hours will be worked by an employee;
- b) the reassignment of the regular work of an employee to other staff or reassigning other staff to assist in the extra work; and/or
- c) the hiring of additional full-time or part-time staff on a temporary basis.

2.3.2 Excluded Management, Administrative and Professional Staff are required to organize their work such that overtime is avoided if at all possible.

2.3.3 Where the above measures are not practical, an employee may be requested to work additional hours beyond the normal hours of work in a day or a week. In this instance, the employee must be provided with authorization in writing that the work is necessary and will be paid at overtime rates.

2.3.4 All overtime shall be paid for at the rate of two times (2X) the employee's hourly rate of pay for actual time worked except as hereinafter provided:

- a) for a callback on the employee's regular working day, two times (2X) the hourly rate of pay for all hours worked on callback with a minimum pay for callback of two (2) hours at two times (2X) the hourly rate of pay;
- b) for a callback on the employee's regular day of rest, two times (2X) the hourly rate of pay for all hours worked on callback with a minimum pay for callback of four (4) hours at two times (2X) the hourly rate of pay;
- c) for a callback on a paid holiday, in addition to the regular earnings for the paid holiday, two times (2X) the hourly rate of pay for all hours worked on callback with a minimum pay for callback for four (4) hours at two times (2X) the hourly rate of pay; and
- d) for work on a paid holiday which has been scheduled in advance, in addition to the regular earnings for the paid holiday, two times (2X) the hourly rate of pay for all hours worked.

2.3.5 A call back shall be defined as a return to work by an employee following an authorized call during the period between his/her completion of work and subsequent starting time. An employee in receipt of a minimum callback will not receive additional pay for any subsequent call backs which fall within the period covered by the minimum.

2.3.6 Callback shall not apply where the time worked is contiguous to the employee's regular work shift or where the employee is notified before the completion of work that he/she is required to report for work at a different time on the subsequent work day.

2.4 Overtime: Payment or Time Off Instead of Payment

2.4.1 Where an employee is required to work overtime, he or she may, if the supervisor agrees, elect to receive time off instead of payment. The employee shall make his/her request during the week in which the overtime is worked. The time off will be taken at a time requested by the employee, unless, in the opinion of the supervisor, the time requested would be disruptive to the operation of the department. Time off must be provided to the employee within three (3) months of having worked the time. If the time off is not provided within three (3) months, the

overtime must be paid to the employee. Such time off shall be equivalent in hours to the pay for such overtime as would have been calculated under section 2.3.4.

2.4.2 Payments for overtime shall be processed by the designated biweekly payroll cutoff dates for the biweekly pay period in which the time was worked.

2.5 Self-Directed Work with Additional Vacation as Compensation

2.5.1 Due to the inherent nature of their positions, some employees may be responsible for determining their own hours of work, and prior authorization to work additional hours is not practical or possible. On an annual basis in order to compensate for future additional hours of self-directed work in the absence of authorization of overtime, an employee may wish to voluntarily request approval in writing by the Unit Head for self-directed work. New employees will be informed of the application process at the time of hire.

2.5.2 Self-directed work will be compensated with five (5) working days of additional vacation credits per year (prorated for partial years of service or for part-time employees) as provided in the Vacation Plan for Excluded Management, Administrative and Professional Staff Policy and Procedures. Employees may also use these credits in advance as per Vacation Plan for Excluded Management, Administrative and Professional Staff Policy. Employees who are on self-directed work shall adjust their regular hours of work to compensate beyond the five (5) days of vacation entitlement.

2.5.3 A copy of this voluntary agreement to self-directed work shall be sent to Human Resource Services for the purpose of recording vacation entitlement. The agreement is subject to termination by the employee or the Unit Head with the provision of thirty (30) calendar days' notice.

2.5.4 Information on self-directed work and copies of the agreement form are available from Human Resource Services. The applicability of self-directed work agreements shall be reviewed in March of each year by the employee and the Unit Head.

2.6 Employee Initiated Voluntary Flex Time Written Agreements

2.6.1 A full-time employee who has not been granted authorization for self-directed work under section 2.5 above, may request, to manage the the employee's work and personal life responsibilities, a written agreement with the Unit Head to change the standard full-time daily hours of work. The agreement cannot allow employees to work more than ten (10) hours per day or the regular hours per week. The agreement can specify a different number of hours per day for each day of the week that the employee works. Assistance with the written agreement is available from the Human Resource Consultant assigned to the department.

2.6.2 This type of additional daily hours of work must be at the request of the employee, is not overtime and as such is compensated at regular rates of pay. The

agreement must indicate the daily hours of work that are agreed upon. The employee or the Unit Head can mutually agree to change the agreement. The employee or the Unit Head may also terminate the agreement with two (2) weeks' notice. The Unit Head may also agree to requests from the employee for occasional changes to the agreed upon schedule.

2.7 Overtime Meal Allowance

2.7.1 Where an employee is requested to work and does work overtime following the normal work day and it is expected that the work will require more than two (2) hours to complete, the employee will be provided with a Staff Meal Ticket for a meal at a University cafeteria. The value of and the regulations regarding staff meal tickets are provided by Financial Services.

2.7.2 Where a hot meal is not available, the employee will be provided with a meal as near as possible to the normal meal time or will be reimbursed for the cost of obtaining a meal off campus to a maximum reimbursement of ten (\$10.00) dollars. A reasonable amount of time will be permitted for a meal break and such time will be considered as time worked.

2.7.3 Where overtime continues beyond four (4) hours, a second meal will be provided or reimbursed.

2.7.4 An employee who works authorized overtime at overtime rates of pay for a period in excess of four (4) hours on a regular day of rest shall be provided with a meal or reimbursement for a meal as indicated above.

2.8 Standby Pay

2.8.1 When the Employer requires an employee to be available for a possible callback (hereinafter referred to as "standby"), the Employer shall give the employee a written notice thereof.

2.8.2 The notice shall advise the employee that he/she is required to be available for a possible callback and specify the hours during which the employee is required to be on standby together with any other particulars. The employee should be given as much notice of standby as is practicable in the circumstances.

2.8.3 An employee shall be paid twenty (\$20.00) dollars for each eight (8) consecutive hour period or portion thereof that he/she is required to be on standby.

2.8.4 It shall be the responsibility of the employee to be immediately available and to keep the Employer informed as to where he/she can be conveniently reached. In the event that an employee on standby cannot be reached or is unable to report for duty, no standby payment shall be made. If the employee has no justifiable reason for the failure to be available, he/she shall be subject to disciplinary action.

2.8.5 An employee who is called back while on standby shall be paid in accordance with section 2.3.4 above in addition to standby pay.

2.9 Shift Premium

Effective April 1, 2012, an employee who is regularly scheduled to work thirty-five (35) hours or more per week and whose schedule in whole or in part falls between the hours of 6:00 p.m. and 7:00 a.m. shall be paid a premium of one dollar and fifty (\$1.50) cents per hour for all hours worked between 6:00 p.m. and 7:00 a.m. This premium shall not be paid where overtime rates apply or where the time so worked is part of self-directed work in section 2.5 or an employee initiated flex-time arrangement in section 2.6.

2.10 Northern Living Allowance

The Employer shall grant all employees employed and normally resident North of the fifty-third (53rd) parallel a Northern Living Allowance as established and maintained by Human Resource Services.

2.11 Time Spent on Travel

2.11.1 Where an employee is required to travel from the University to another work location and back from that location to the University, that travel time is to be considered as work time. In such cases the start and end time of the work day shall be adjusted whenever possible to avoid overtime.

2.11.2 Travel time, which is outside of the normal day or work week, to locations off campus to attend voluntary professional development (including conferences) shall be considered to be voluntary travel and therefore not work time. Such time which occurs during the normal work day or work week shall be considered to be time worked.

2.11.3 Where an employee is required to travel in order to conduct University business or receive University required training, such time shall be not be considered as voluntary and therefore it shall be considered as work time. In weeks where required travel is scheduled, the work week should be altered so that required travel does not result in overtime as per subsection 2.3.1(a). Where this is not possible, authorization for such overtime shall be obtained prior to the travel in order for any time to be considered as overtime.

Part III Accountability

3.1 The University Secretary or the President is responsible for initiating a formal review of these Procedures.

3.2 The Associate Vice-President (Human Resources) is responsible for the communication, administration and interpretation of these Procedures.

Part IV Review

- 4.1 Formal Procedure reviews will be conducted every ten (10) years. The next scheduled review date for these Procedures is October 24,2018.
- 4.2 In the interim, these Procedures may be revised or rescinded if:
- a) the Vice-President (Administration) or the President deems necessary; or
 - b) the relevant Bylaw, Regulation(s) or Policy is revised or rescinded.

Part V Effect on Previous Statements

- 5.1 These Procedures supersede:
- a) all previous Board/Senate Policies, Procedures, and resolutions on the subject matter herein; and
 - b) all previous Administration Policies, Procedures, and directives on the subject matter contained herein; and
 - c) all previous Faculty/School Council Procedures stemming from the Faculty/School Council Bylaw and academic and admission Regulations and any resolutions on the subject matter contained herein; and
 - d) Hours of Work and Overtime for Excluded Management, Administrative and Professional Staff Procedures (dated October 24, 2008).

Part VI Cross References

Hours of Work and Overtime for Excluded Management, Administrative and Professional Staff Policy

Vacation Plan for Excluded Management, Administrative and Professional Staff Procedures