

Overtime

The Know Your Rights series of fact sheets assist CSIRO union members better understand and enforce our rights at work. The source of these rights is the CSIRO Enterprise Agreement 2017-2020 (EA), specifically Clause 23.

1) What are the preconditions for the payment of overtime?

Clause 23 of the Enterprise Agreement (EA) details overtime conditions. Payment of claims for overtime shall only be made if the overtime is authorised by CSIRO.

2) Can a CSIRO employee 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.

3) 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.;

4) What are the overtime hourly rates of pay?

- Single time for overtime performed inside the bandwidth - attendance bandwidth is defined at Clause 23.7
- 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.

5) Is there a minimum overtime payment for a weekend or public holiday?

Yes. 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 26 of the EA.

6) 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.

7) 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.

8) 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. Notwithstanding this provision, CSIRO has an overriding duty of care in regard to the health and safety of officers who are directed to resume duty.

9) Is a meal allowance paid if an officer works overtime?

Yes. A meal allowance of \$29.40 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 standard meal periods are: 7.00am – 9.00am; 12.00pm – 2.00pm; 6.00pm-7.00pm; 12.00am – 1.00am. The meal allowance amount is adjusted annually in accordance with the official rate determined by the Australian Taxation Office.

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For more information about membership talk to your local organiser, email csstaff@cspu.org.au or visit www.cpsu-csiro.org.au

KNOW YOUR RIGHTS

Important points

- Payment of claims for overtime will only be made if the overtime is approved by CSIRO.
- CSIRO staff can be required to work overtime however the requirements to work outside regular hours must be deemed reasonable.
- Various rates of overtime are paid depending on when the extra hours fall – within or outside the bandwidth Monday to Friday, Saturday or Sunday and public holidays.
- Minimum break periods between ceasing and resuming duty applies to overtime.
- Meal allowances will be paid to staff working overtime prior to and following a meal period.



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