

Number:	RHR-209
Title:	Hours of Work, Overtime and Additional Work
Person responsible for enforcement:	Vice-Rector, Administration
Entered into force:	September 18, 2013
Approved:	September 18, 2013 by the Council of Administration <i>This document replaces all previous regulations on this subject.</i>
Exception:	No exception to this regulation without prior written authorization from the Council of Administration

In this document, the masculine form is used without prejudice and for conciseness purposes only.

1. Objective

This regulation aims to provide a frame of reference with regard to the hours of work and work schedules, in addition to certain terms, including compensation for overtime and the possibility of additional work hours.

2. Legal Framework

Employment Standards Act of Ontario, as amended from time to time.

3. Definitions

Normal hours of work: the number of hours, as established in hiring, to perform the tasks required by the position.

Overtime hours: hours spent beyond the normal hours of work performing tasks planned for a given position.

Additional work: all work and tasks of a position other than the employee's regular position performed outside the normal hours of work.

4. Regulations

4.1 Normal work hours and work schedule

- a) The normal work week is 35 hours for a total of 1,820 hours per year. The normal daily schedule is from 9:00 a.m. to 5:00 p.m. with a one hour unpaid lunch break. However, for certain categories of employment, the normal length of the work week may be longer, and consequently, a daily schedule that includes more hours.
- b) The normal work week is Monday through Friday, but work hours of certain positions may include a regular schedule on weekends or evenings.
- c) For management staff, the time occasionally required outside regular hours for planning work is part of the normal job requirements. In addition, because of the inherent responsibilities of their duties, their weekly workload requires an average thirty-five hours and their daily schedule can vary. To facilitate the work coordination and staff achievements, these managers will however seek to be present during regular office hours.

4.2 Flexible hours

- a) Managers may allow some flexibility in their staff's working hours. They should require the presence of a sufficient number of employees needed to maintain essential services during the normal daily schedule.
- b) All flexible schedules must take into account the following factors:
 - 1) at least thirty minutes should be allowed for lunch;
 - 2) two daily fifteen minute breaks cannot be used to reduce the normal duration of the working day.
- c) The establishment of a flexible work schedule shall stipulate that the work schedule cannot begin before 7:00 a.m. and end before 3:00 p.m.

4.3 Overtime:

- a) Staff members who hold a regular full-time position of 400 Hay points or less may be paid for overtime.

Staff members who hold regular full-time position of 401 Hay points or more can be compensated in time, for example, by adding days off.
- b) The employee's work must be organized so as to avoid, as much as possible, overtime work. Only the overtime that has been scheduled in advance and explicitly and directly approved by the immediate supervisor, is considered as overtime and shall be paid in accordance with the terms of this regulation.
- c) The overtime period must extend beyond half an hour after regular working hours. In this case, the compensation will count from the end of regular hours.
- d) Overtime cannot be made before 8 a.m. or during lunch, unless, in exceptional cases, they are duly authorized by the supervisor.
- e) If overtime is done to respond to an emergency affecting the operation of the University, the employee shall notify his supervisor at the earliest opportunity.
- f) The unplanned and unauthorized hours that an employee performs at his discretion or for personal reasons are not recognized and are not paid as overtime under the terms of this regulation.
- g) When an employee in a position of 401 Hay points or more works a significant number of overtime hours, either during peak periods, during special projects or in exceptional circumstances, the employee and the supervisor will establish a reasonable recognition of the hours worked with compensatory time. This agreement must be endorsed by the Human Resources Service to ensure internal equity.

4.4 Additional work

The allocation of additional work must be authorized in advance by the supervisor. If the extra work generates overtime, rules governing these will apply (see next section).

4.5 Method of compensation of overtime hours

- a) The method of payment for overtime hours must be determined in consultation with the supervisor before the overtime is authorized.
- b) Wherever possible, an employee will take time off for overtime hours provided. The maximum overtime hours equivalent to two weeks of work can be banked and carried over to the next fiscal year (May-April) to be taken in time when the employee chooses. The supervisor must still manage banked holidays, to minimize transfers from one year to another.
- c) Overtime is paid at the hourly rate of the employee's position, but overtime for additional work shall be paid at the hourly rate of the target position.
- d) Time worked in excess of forty-four hours in one week is paid at time and a half the hourly rate of the position.
- e) Staff members with banked overtime who are transferred can transfer their banked time.

4.6 Recording method for overtime

All overtime must be registered in the manner described by the Human Resources Service.

The official record of overtime for employees is held by the Human Resources Service. All requests for verification must be made in writing to this office.

5. Interpretation

The Vice-Rector, Administration is responsible for the interpretation of the regulation. It is enforced by the Human Resources Service.