

 <p>Cree School Board Commission scolaire crie</p>	<h2>Policy on Overtime</h2>	
	<p><b>Department responsible:</b> Human Resources  <b>Effective date:</b> July 1, 2014  <b>Amended:</b> March 3, 2016, December 8, 2017, June 11, 2020 and May 31, 2023  <b>Approved by:</b> Resolution #EC 2016-067, EC 2017-525, EC 2020-283 and EC 2023-342</p>	
	<p><b>References:</b></p>	<ul style="list-style-type: none"> <li>▪ Collective agreements / Art. 8-3.00 Support Staff (S8) Professionals (P3)</li> </ul>
	<p><u>Other related policies</u></p>	<ul style="list-style-type: none"> <li>▪ Professional Improvement (HR-05 &amp; HR-06)</li> <li>▪ Attendance Policy (HR-10)</li> <li>▪ Business Travel (FIN-02)</li> </ul>

## 1) Requirements

Application

**1.1.** When professionals or support staff members must work overtime, they shall be indemnified in accordance with the terms of their respective collective agreement and within the framework of the provincial labour laws. Such indemnification, when recognized, entails a premium of 50% of the prevailing hourly wage paid to the employee except premiums computed on an hourly basis.

Principle

It is the Policy of the Board to keep overtime to a minimum and to promote as much as possible monetary compensation rather than compensatory leaves, in order to maintain the services to the school community.

Authorization

**1.2.** Only overtime explicitly and directly scheduled and approved by the immediate supervisor is considered legitimate overtime hours and can be paid under the terms and conditions in this Policy. All overtime must have prior approval of the employee's supervisor.

Emergencies

**1.3.** Employees who work overtime to contend with an emergency that affects the Board's operation must notify their immediate supervisor accordingly without delay. Unscheduled and unauthorized hours of work by staff at their own discretion or for personal reasons are not recognized and not paid as overtime under this Policy.

## 2) Compensation

Time off

**2.1.** The employee and his immediate supervisor shall agree when the leave as compensation for overtime may be taken, by considering notably the requirements of the department and service delivery.

When the employee and his immediate supervisor have agreed on the time when the leave may be taken but it cannot in fact be taken at the time agreed to, due to the needs of the department or uncontrollable circumstances, overtime shall

then, at the employee's choosing, be remunerated at the applicable rate or taken in time; in this latter case, the employee and his immediate supervisor should agree on the time when the leave may be taken.

When the claim for overtime is submitted to the supervisor, and the employee has chosen to take it as time off, the dates should be identified, but if this is not feasible, the employee shall inform his supervisor at least 5 days before the time he is intending to take as a leave in order to seek an agreement on the date(s) with his supervisor.

[Remuneration](#) **2.2.** If within 60 days on which the overtime work was carried out, there was no agreement between the immediate supervisor and the employee on when the leave could be taken, overtime shall be remunerated according to the applicable rates.

[Overtime claims](#) **2.3.** Any overtime claims must be approved and submitted to Payroll with a copy to Human Resources within 30 days of their occurrence. Any overtime done in June must be claimed before June 30<sup>th</sup> and any claim submitted after this delay will be deemed forfeited.

[No carry-over](#) **2.4.** A compensatory leave for overtime cannot be deferred from one work year to another except with the consent of the immediate supervisor who may authorize a transfer of a maximum of 3 days to the following school year and must then inform Human Resources before June 15<sup>th</sup>. Any overtime left in the bank as of June 30 will be paid to the employee.

### **3) Specific Conditions Applicable During Business Trips**

[Limitation / travel](#) **3.1.** When an employee chooses a means of transportation other than the most adequate and time-effective means available for a business trip, the number of hours to be recognized as time worked cannot exceed what it would have been if he had used effective means of transportation.

[Limitation / Field trips and excursions](#) **3.2.** When an employee accompanies students during a field trip or excursion involving overnight stays, a compensation may be recognized as time worked for hours done from 7 a.m. until his regular work day starts and for hours done after the end of his regular workday until 11:00 p.m.

[Recognized time during business trip](#) **3.3.** The time spent outside the community of assignment during a business trip<sup>1</sup> will be recognized as follows:

- a) for transportation: the actual time incurred<sup>2</sup>;
- b) for time spent during the weekend at the travel destination<sup>3</sup>: the actual time up to the maximum of a normal work day.

<sup>1</sup> Note that any travel time incurred to attend an activity of professional development requested by an employee is not recognized as time worked when done outside the regular work schedule.

<sup>2</sup> However, when an employee is traveling for less than 3 hours during a non-working day, he will have 3 hours automatically recognized as work time as provided by law.

<sup>3</sup> Notably due to bad weather, waiting for work, etc.

## **4) Final Provisions**

[Sick leave](#) 4.1. Since time off in compensation of overtime must be planned and agreed upon with the supervisor, and considering its impact on other benefits (pension, etc.) the employee cannot use his overtime bank to compensate for a sick leave<sup>4</sup>.

## **5) Application of this Policy**

[Other provisions](#) 5.1. The present Policy replaces any other Policies of the Board pertaining to this subject,. If there is any conflict between this Policy and a collective agreement or any legislation, the latter shall prevail.

[Official version](#) 5.2. The official version of this Policy is kept by the Secretary-General of the Board.

[Responsibility](#) 5.3. Any person referred to in this Policy must abide by all its provisions and all managers of the School Board are responsible for ensuring that all its provisions are applied and respected.

The Director of Human Resources is the person responsible for providing support in the interpretation of this Policy and to ensure its revision when necessary.

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<sup>4</sup> e.g.: if an employee has exhausted all his bank of sick days and is absent for that reason. In such case, the employee could, however, request a monetary compensation for his overtime, but he will be deemed absent from work.