

**Service**

**Policy**

**Working Hours & Overtime**

Contents

1. Introduction
2. Scope
3. Principles
4. Roles
5. Monitoring
6. Examples

1. Introduction

1.1 This Policy sets out principles around working hours including the use of Overtime.Overtime generally means any work over the basic working hours included in a contract. Regulations say that most workers can't be made to work more than an average of 48 hours a week, but they can agree to work longer.

1.2 The use of overtime by Cumbria Fire & Rescue Service (CFRS) is generally to meet demands or to cover short term absences, while applying overtime the Service must be cognisant of, and comply with, The Working Time Regulation 1998.

1.3 The Working Time Regulations (1998) implement the European Working Time Directive into GB law. The Regulations apply to all workers, though their outcomes may differ with certain types of worker.

1.4 The Directive imposes responsibilities on both managers and employees to ensure that working time conditions and safe working arrangements are observed. This policy outlines those responsibilities as well as providing guidance on how the working time regulations apply to Cumbria County Council and its employees, and should be read in conjunction with [CCC Working Time Directive](http://www.intouch.ccc/elibrary/Content/Intranet/535/615/984/37708144442.pdf?timestamp=4369611141) and Cumbria Fire and Rescue Policy [Additional Voluntary Hours Policy](https://www.cumbria.gov.uk/elibrary/view.asp?id=64190) and, specific policies relating to individual duty systems, and their relevant policies.

2. Scope

2.1 The procedure applies to all employees of Cumbria Fire and Rescue Service and covers working hours and the implementation of overtime.

2.2 Payment for overtime applies to employees in the roles of Watch Manager and below and shall be at time and a half, or double time on a public holiday.

2.3 An employee who requests it may be granted time off in lieu at the appropriate enhanced rate, subject to the exigencies of the Service, rather than receive overtime payment.

2.4 This policy outlines the basic principles of the implementation of overtime, it should be read in conjunction with policies specific to duty systems, availability and working arrangements.

3. Principles

3.1 **Pre-arranged Overtime**

The Grey Book states that for pre-arranged overtime employees are free to volunteer to work pre-arranged overtime for no more than twenty-four hours per month, averaged over a six-month period which equates to 144 hours, or two duty days per month average. CFRS utilise the 17 week reference period as per the Working Time Directive. Staff undertaking additional roles or having declared Secondary employment may not be allowed to undertake pre-arranged overtime as all hours worked by an individual are included within the individual’s total.

3.2 **Casual overtime**

An employee who works overtime as a result of a requirement to remain on duty at an operational incident, past the end of shift shall be paid as follows:

(1) Each period of overtime shall be treated separately.

(2) No payment shall be made for any period less than fifteen minutes.

(3) A period of fifteen minutes or more and up to one hour shall be treated as one hour.

(4) Where the period exceeds one hour, payment shall be made for complete periods of fifteen minutes.

4. Roles

4.1 Within Cumbria staff may have multiple roles which can include any combination of:

* Wholetime Firefighter
* On-call Firefighter
* Associate Contracts
* Single Time Overtime Contract
* Secondary Employment (Please see details within the Secondary Employment Policy

4.2 **Secondary Employment**

Wholetime employees must request permission via the Chief Fire Officer if they wish to undertake outside employment as detailed within the Secondary Employment Policy, so that an informed judgement can be made in relation to the accumulative hours of work, and any other matters which may bring them into conflict with their council employment.

4.3 **Additional Contracts**

There are opportunities for staff within CFRS to undertake additional Associate Contracts and [Additional Voluntary Hour Contracts](https://www.cumbria.gov.uk/elibrary/view.asp?id=64190)**.** All additional contracts will be monitored and an individual weekly average total of no more than 48 hours will be managed by both the individual and CFRS.

5. Monitoring

5.1 The Directive imposes responsibilities on both managers and employees to ensure that working time conditions and safe working arrangements are observed.

5.2 All of the above roles will be monitored and an individual weekly average total of no more than 48 hours will be managed by both the individual and CFRS. To ensure compliance with The Working Time Regulations (1998).

* 1. **Managers/Supervisors**: Are responsible for:
* Ensuring employees are made aware of this policy and understand their responsibilities in relation to it. he induction of new employees including explaining working hours, time keeping, flexi-time, breaks, annual leave etc., and any local processes regarding these that may be in place.
* Ensuring that adequate staffing levels are maintained and staff do not exceed their maximum weekly working hours.

5.4 **Employees**. Are responsible for:

* Informing their line manager if they have worked excessive hours and exceeded the 48 hour average over the 17 weeks reference period.
* Informing their line manager if they have more than one role.
* Informing their line manager if there are difficulties preventing them from taking rest breaks, daily or weekly rest periods, or from taking compensatory rest.
* Understanding the implications of secondary employment as laid out within the Secondary employment policy.

5.5 **Service Delivery Support.**

Service Delivery Support will maintain reports which will be accessible by managers through [Power BI](https://powerbireports.cumbria.gov.uk/reports/powerbi/CFRS/Overtime%20Monitoring) to monitor individual weekly averages of the 17 week reporting period, and will notify managers of individuals accruing excessive hours. While Service Delivery Support will monitor individual hours worked, it remains the responsibility of the individual not to exceed the 17 week average.

EXAMPLES (based on 4 weeks not 17 week monitoring period)

Wholetime Firefighter

42 hours per week

On-call Firefighter

2 Hours per week

I x Overtime Night Shift per month (3 hours 20 minutes per week)

47.20 hours average

Wholetime Firefighter

42 hours per week

On-call Firefighter

2 Hours per week

I x Associate Instructor Course every 2 weeks (4 hours per week)

I x Overtime Night Shift per month (3 hours 20 minutes per week)

51.20 hours per week average

Wholetime Firefighter

42 hours per week

I x Associate Instructor Course every 2 weeks (4 hours per week)

I x Overtime Night Shift per month (4 hours per week)

48 hours average

Wholetime Firefighter

42 hours per week

Single Time OT Contract (6 hours per week)

NO ADDITIONAL HOURS

48 hours average

Wholetime Firefighter

42 hours per week

Secondary Employment Declaration (16 hours per week)

NO ADDITIONAL HOURS

58 hours average