

POLICY 8.9 – Hours of Work, Overtime, and Meal and Rest Periods

Policy Category: Personnel – Select Administrative Group Employees (SAGE)

Subject: Hours of Work, Overtime, and Meal and Rest Periods

Approving Authority: Board of Governors

Responsible Officer: Associate Vice-President (Human Resources)

Responsible Office: Human Resources

Related Procedures:

Related University Policies:

Effective Date: May 4, 2017

[Amalgamates pre-existing MAPP 8.13 – Meal and Rest Periods, MAPP 8.26 Hours of Work and Overtime, and MAPP 8.34 Closure of University]

Supersedes: (NEW)

I. PURPOSE

This policy describes how hours of work, overtime, and meal and rest periods are administered for Select Administrative Group Employees (SAGE) members at Western. This policy will be interpreted and applied in accordance with all applicable legislation including, but not limited to, the *Employment Standards Act, 2000*.

II. POLICY

Hours of Work & Overtime

- 1.00 The standard work week hours for current SAGE classifications shall be 35-40 hours. Western shall set the hours of work for a standard work week for new classifications and will so advise SAGE.
- 2.00 It is understood that the provisions of this Policy are intended only to provide a basis for calculating time worked and shall not constitute a guarantee of hours of work per day, or days of work per week or for any period whatsoever. Where a SAGE Member's regular hours of work per week are to be changed, the employee shall be provided with one (1) month's written notice of the change.

POLICY 8.9 – Hours of Work, Overtime, and Meal and Rest Periods

- 3.00 Overtime is defined as authorized time worked:
- a) beyond the first thirty-five (35) hours in any week; or
 - b) where an employee's standard work week is greater than thirty-five (35) hours, time worked in excess of the standard work week hours.
- 4.00 Western, after consultation with the SAGE member, and before the overtime is worked, will determine the method of compensation for authorized overtime worked, which will be either:
- a) payment on the basis of one and one-half (1½) times the regular rate of pay for each hour worked; or
 - b) time off on the basis of one and one-half (1½) hours off for each hour worked.
- 5.00 A SAGE member will be permitted to accumulate up to a maximum of eighty (80) hours of time off on account of overtime worked. All overtime worked in excess of this will be paid out in accordance with Clause 4.00 a). The member may take the time off at a mutually agreeable time, subject to the operating requirements of the unit, and in any case shall be entitled to the time off within one (1) year of it being earned.
- 6.00 Western and SAGE recognize that Western's operations may require the performance of overtime work and SAGE members will be expected to cooperate in the performance of such work. However, an employee shall be entitled to refuse to work more than eight (8) overtime hours in a week or forty-eight (48) total hours in a week, whichever is the lesser, except in the case of emergency.
- 7.00 The Supervisor/Budget Unit Head (or his/her designate) shall keep a record of overtime hours worked and the means of payment for that work, and the record shall be available for the SAGE member's review.
- 8.00 For the purposes of this Policy, periods of leave pursuant to policies [8.10 \(Vacation, Statutory Holidays and Floating Days\)](#), [8.13 \(Sick Leave, Disability Income Protection and Health Care Appointments\)](#), [8.14 \(Compassionate Leave, Jury/ Witness Duty and Citizenship\)](#), and [8.15 \(Pregnancy and Parental Leave\)](#) shall be treated as time worked.

Meal and Rest Periods

- 9.00 If a SAGE member is required to work more than five (5) consecutive hours in a day, he/she shall be entitled to a minimum of a thirty (30) minute unpaid meal period. The meal period shall be taken at a mutually agreeable time, but it must be scheduled so that the member is not required to work more than five (5) consecutive hours. If, after consultation, agreement on the timing of the meal period is not possible, Western shall fix the time of the meal period.
- 10.00 A SAGE member who works at least seven (7) consecutive hours in a day shall be provided either two paid ten (10) minute breaks or rest periods or one paid twenty (20) minute break or rest period, in addition to the unpaid meal period described in section 1.00, to be taken at a mutually agreeable time(s). If agreement on the timing of the breaks or rest periods is not possible, it shall be at the discretion of the member, provided:
- a) Western's operations are not negatively affected;
 - b) the break or rest period is not taken within one-half (½) hour of the start or end of the scheduled work day or the scheduled lunch period; and
 - c) the person to whom the SAGE member reports is informed in advance.

POLICY 8.9 – Hours of Work, Overtime, and Meal and Rest Periods

- 11.00 Failure to take a break or rest period does not entitle the employee to time off in the future or payment in lieu of the break or rest period.

Closure of Western

- 12.00 When the President (or designate) of Western decides to close the university on account of an emergency, including inclement weather, SAGE members shall not suffer a loss of pay or benefits as a result. SAGE members required to work when Western is closed by the President (or designate) shall be entitled to overtime pay for all hours worked during the closure.