



POLICY P3.2.2 HOURS OF WORK

ITEM	DESCRIPTION
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SOPs	➤ SOP P3.2.2-1 Administration of Work Hours
Policy Owner	Executive Director, Membership and Strategic Services
Policy Contact	Director, Membership Services
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1 Purpose

- 1.1 This policy is built on a high level of trust and mutual respect between management and staff. It builds on and maximises the positive communication and understanding between the NSW Rural Fire Service (NSW RFS) Commissioner and staff.
- 1.2 The policy expands upon the following clauses in the Crown Employees (Rural Fire Service) Award (the RFS Award), and its application to the NSW RFS:
 - a. Clause 7 Hours of Work;
 - b. Clause 8 Attendance and Working Arrangements;
 - c. Clause 9 Background to Work Hours Arrangements; and
 - d. Clause 10 Requirement to Work Additional Hours.
- 1.3 This policy will also deal with the relationship between Clause 7 Hours of Work in the RFS Award and the following clauses:
 - a. Clause 11 Agreed Absences;
 - b. Clause 12 Annualised Conditions Allowance; and
 - c. Clause 15 Major Incident Conditions.

2 Definitions

- 2.1 For the purpose of this policy document the following definitions apply:
 - a. **Agreed Absence (AA):** the allowance in the RFS Award for one day off per calendar month (or pro rata for part-time staff) in recognition of the hours worked and professional commitment to the organisation. Refer to SOP P3.2.2-1 for further information.
 - b. **Crown Employees Award:** the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009.

- c. **Local Arrangement (LA):** a flexible arrangement between an employee and their supervisor to meet personal and/or work needs. Refer to SOP P3.2.2-1 for further information.
- d. **Overtime:** As per the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009.
- e. **RFS Award:** the Crown Employees (Rural Fire Service) Award.
- f. **SAP ESS:** SAP Employee Self Service Portal.
- g. **SAP MSS:** SAP Managers Self Service Portal.
- h. **Leave in Lieu (LIL):** As per the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009. This is also referred to within the NSW RFS as Time in Lieu.
- i. **Workplace:** As defined in Service Standard 7.8.5 Smoking in the Workplace, places occupied by NSW RFS staff members while conducting authorised NSW RFS activities. This may include, but is not limited to:
 - i. Headquarters and its satellite locations;
 - ii. Regional offices;
 - iii. District offices;
 - iv. Fire control centres;
 - v. Training centres/locations;
 - vi. Motor vehicles;
 - vii. Brigade stations; and
 - viii. Storage facilities and warehouses.

3 Policy

- 3.1 Notionally staff will work a 35-hour week worked any time from Monday to Sunday. The normal working week shall be Monday to Friday.
- 3.2 Standard working hours are between 0900 and 1700.
- 3.3 The bandwidth for working the 35 hours is between 0700 and 1900 unless agreed otherwise.
- 3.4 The clauses of the RFS Award referred to above are designed to deliver the greatest degree of flexibility for staff in balancing work and family responsibilities whilst also ensuring the NSW RFS meets its day to day service delivery obligations and organisational objectives.
- 3.5 In accordance with P2.1.1 Administrative Delegations, ongoing variation to working hours outside of the normal bandwidth requires approval by the relevant Executive Director.

Roles and responsibilities

- 3.6 All Headquarters, Regional and District managers are responsible for ensuring that:
 - a. Day-to-day management (including commencement, finish, break times and leave requirements) are managed in a way that ensures business unit needs are met and that staff requirements are taken into consideration wherever possible;
 - b. Completed attendance records are submitted through the approved corporate system (currently SAP ESS) within 5 days of the end of the month;
 - c. Auditable attendance records are maintained on a daily basis; and
 - d. Auditable attendance records are managed in accordance with P5.1.6 Records Management; in accordance with SOP P3.2.2-1.
- 3.7 Managers are responsible for the management of the auditable records for all staff in their unit.
- 3.8 The Membership Coordination Unit (MCU) and Regional Offices can provide advice and assistance in relation to this Policy and the RFS Award and may audit attendance records as required.

- 3.9 All staff are responsible for ensuring their monthly attendance return is completed on a daily basis, accurately and in full.

Relationship to Clause 11 – Agreed Absences

- 3.10 Agreed absences shall be taken in accordance with the provisions as set out in clause 11 of the RFS Award and SOP P3.2.2-1.

Relationship to Clause 12 – Annualised Conditions Allowance (ACA)

- 3.11 An Annualised Conditions Allowance (ACA) shall be granted in accordance with the provisions set out in Clause 12 of the RFS Award, Policy P3.2.3 Annualised Conditions Allowance, and SOP P3.2.2-1.

Grievance handling and dispute resolution procedures

- 3.12 Complaints or disputes in relation to the administration of the RFS Award shall be in accordance with the Grievance Handling and Dispute Resolution Procedures outlined in the RFS Award. Note: NSW RFS Service Standard 1.1.3 Grievances does not apply to these complaints or disputes.
- 3.13 Where it is considered the issue is of a wider nature, the Joint Consultative Committee (JCC) shall be the appropriate forum to raise the service-wide issue.
- 3.14 The Executive Director, Membership and Strategic Services will, as and when deemed appropriate, arrange for mediation or facilitation services between staff and management in resolving any issues in relation to this policy.
- 3.15 The respective authorities for managers to approve conditions outlined in this Policy are contained in P2.1.1 Administrative Delegations.

4 Related documents

- Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009
- Crown Employees (Rural Fire Service) Award
- P2.1.1 Administrative Delegations
- P3.2.3 Annualised Conditions Allowance
- P5.1.6 Records Management
- Service Standard 3.1.14 Fatigue Management

5 Amendments

AMENDMENT DATE	VERSION NO	DESCRIPTION
August 2003	1.0	Initial Release
3 October 2008	2.0	<ul style="list-style-type: none"> ➤ Repealed v1.0 ➤ Complete review of v1.0
4 May 2017	2.1	<ul style="list-style-type: none"> ➤ Repeals v2.0 ➤ Reviewed to update current practices and references

ANNEXURE A

TABLE OF AGREED ABSENCES ALLOCATIONS FOR PART-TIME STAFF

Work Pattern Hours p/w	Formulae	Annual Allocation in hours	Annual Allocation in days
35	84 x 35/35	84.00	12.00
34	84 x 34/35	81.60	11.66
33	84 x 33/35	79.20	11.31
32	84 x 32/35	76.80	10.97
31	84 x 31/35	74.40	10.63
30	84 x 30/35	72.00	10.29
29	84 x 29/35	69.60	9.94
28	84 x 28/35	67.20	9.60
27	84 x 27/35	64.80	9.26
26	84 x 26/35	62.40	8.91
25	84 x 25/35	60.00	8.57
24	84 x 24/35	57.60	8.23
23	84 x 23/35	55.20	7.89
22	84 x 22/35	52.80	7.54
21	84 x 21/35	50.40	7.20
20	84 x 20/35	48.00	6.86
19	84 x 19/35	45.60	6.51
18	84 x 18/35	43.20	6.17
17.5	84 x 17.5/35	42.00	6.00
17	84 x 17/35	40.80	5.83
16	84 x 16/35	38.40	5.49
15	84 x 15/35	36.00	5.14
14	84 x 14/35	33.60	4.80
13	84 x 13/35	31.20	4.46
12	84 x 12/35	28.80	4.11
11	84 x 11/35	26.40	3.77
10	84 x 10/35	24.00	3.43
9	84 x 9/35	21.60	3.09
8	84 x 8/35	19.20	2.74
7	84 x 7/35	16.80	2.40
6	84 x 6/35	14.40	2.06
5	84 x 5/35	12.00	1.71
4	84 x 4/35	9.60	1.37
3	84 x 3/35	7.20	1.03
2	84 x 2/35	4.80	0.69
1	84 x 1/35	2.40	0.34

SOP P3.2.2-1

ADMINISTRATION OF WORK HOURS

1 Purpose

- 1.1 This Standard Operating Procedure (SOP) details the administration of working hours and conditions for all NSW RFS staff.

2 Procedures

Attendance Recording

- 2.1 The business unit manager/District Manager is responsible for the approval of monthly attendance records in the approved corporate system (currently SAP MSS) within five working days of the end of the month.
- 2.2 Staff may keep their own personal record of working hours; however these are not required to be submitted with the monthly attendance record.
- 2.3 If a staff member's immediate manager has sufficient reason to believe a staff member is not adhering to the intent and spirit of the working hours arrangements within the RFS Award, the staff member may be directed to record the hours worked as well as maintaining the monthly attendance record in the approved corporate system (currently SAP ESS) and formally submitting the record of hours worked to their manager.

Local Arrangement (LA)

- 2.4 A LA is not Time in Lieu because it does not involve the working of overtime.
- 2.5 LAs are more flexible work arrangements negotiated between a staff member and their supervisor to meet personal and/or work needs.
- 2.6 Where there is a need for ongoing or prolonged variations to work hours, the staff member is required to seek approval from the relevant Executive Director.
- 2.7 LAs are approved periods of time away from normal work time, most usually in recognition of either additional time worked in a calendar month or as a result of an occasional need to re-arrange work hours. For example, a staff member is approved to do the equivalent of an extra day's work in a month. This is not overtime because they have chosen to do these extra hours.
- 2.8 LAs must be taken within the month approved (or by no later than the next month where prior authorisation is obtained).
- 2.9 Staff may rearrange their work hours to suit occasional personal or work needs, and as such, may come to a LA with their manager to work their notional 35 hours at agreed times between Monday and Sunday.
- 2.10 Any LA must be negotiated with the relevant manager prior to the commencement of the arrangement and is to be granted on the basis that work is being completed in a timely manner as per agreed outcomes.

Agreed Absences (AA)

- 2.11 Staff shall normally be required to take the AA during the month in which it accrues.
- 2.12 A staff member and their manager may agree to postpone the taking of the AA until a later time.
- 2.13 The taking of all AAs must be completed within the reconciliation period.
- 2.14 For full time employees, AAs are whole day absences. For staff working part-time, their pro rata entitlements may allow them to only take a part day.

Financial Year Reconciliation of AAs

- 2.15 Since 1 July 2015 reconciliation of AAs has taken place prior to the end of the financial year (30 June).
- 2.16 Postponed AAs cannot be carried forward to the next financial year.

Annualised Conditions Allowance

2.17 Managers are encouraged to use this Hours of Work Policy to accommodate those staff members already being compensated for provisions such as overtime, excess travel time, on call, and after hours. For example, where a staff member has had to work late into the night as part of their after hours or on-call duties and is receiving an ACA as compensation, the manager must consider fatigue management requirements and the staff member's health and wellbeing, and use the flexibility provisions of the hours of work policy to allow appropriate time off the next day without loss of pay.

Overtime (OT)

2.18 The Crown Employees Award provides details for overtime outside of the Major Incident Conditions in the RFS Award.

Leave in Lieu (LIL)

2.19 Leave in lieu is a provision in the Crown Employees Award.

2.20 Where a staff member has worked approved overtime they are entitled to be paid for that overtime or otherwise elect to accrue leave in lieu (LIL) in accordance with Clause 96 of the Crown Employees Award.

2.21 LIL shall be taken within three months of accrual, at a time that is mutually convenient to the staff member and their immediate manager.

2.22 A staff member shall be paid for the balance of any overtime entitlement not taken as LIL at the end of the three month period.

2.23 LIL is managed at the local level between the manager and relevant staff. Appropriate records must be maintained.

Part-Time Work

2.24 Staff working part-time shall have entitlements calculated on a pro-rata basis.

2.25 Annexure A details entitlements for part time staff to AAs.

Working Set or Standard Hours

2.26 The relevant Executive Director may determine or direct that standard hours or restrictions to the work hours be worked in particular circumstances.

2.27 These circumstances may include, but are not limited to:

- a. Where the work to be done cannot accommodate the flexibilities of Clause 7 of the RFS Award due to the operational requirements of the NSW RFS or a particular section of the Service; or
- b. Remedial action is being taken where the staff member has been found to have deliberately and persistently breached or abused the operation of the clause.

Major Incidents

2.28 Where a major incident has been declared, the work hours arrangements are suspended for those staff directed to work under the Major Incident Conditions clause of the RFS Award until the incident is revoked.

2.29 During this period, those conditions as prescribed in the RFS Award Clause 15 Major Incident Conditions shall apply.

Transfer to another NSW Government Agency

2.30 The transferring staff member shall make appropriate arrangements with the relevant manager to ensure any postponed AAs are taken prior to the agreed last day of duty.

2.31 The relevant manager is responsible for ensuring all leave taken by the staff member is appropriately recorded and reconciled as soon as practicable after the transfer is confirmed.

Separation from the NSW RFS

- 2.32 The staff member shall make appropriate arrangements with the relevant manager to ensure any postponed AAs are taken prior to the agreed last day of service.
- 2.33 The relevant manager is responsible for ensuring all leave taken by the staff member is appropriately recorded and reconciled as soon as practicable after the notice of separation/resignation is received.

3 Related forms

- > None