



Approving Overtime Governance and Compliance Guideline

1. Purpose

To ensure compliance with relevant legislation, industrial agreements, and policies, this document articulates the key principles, roles, responsibilities, standards and governance required for managers considering the approval of WA Country Health Service (WACHS) employees working additional hours including being recalled to work and considering the approval of overtime pay for such hours worked.

2. Guideline

There are times when operational requirements and service delivery needs will necessitate employees to work additional hours. Attendance records and payments to employees may be subject to audit and review, and dishonestly recording attendance or claiming unearned entitlements may constitute a breach of discipline and/or a criminal offence.

It is important for managers who consider approving additional hours to understand their obligations to ensure that WACHS' obligations are met.

2.1 Risk

If adequate measures are not implemented and maintained, WACHS and its employees may be exposed to the risk of:

- employee fatigue (which could result in further risks such as clinical errors, workplace injury, burnout and poor morale)
- fraud and corruption, or the perception of fraud or corruption
- financial loss
- employees not being paid correctly for time worked
- records not available for audit
- reputational damage
- disciplinary action
- prosecution.

2.2 Principles

Managers considering approval of additional hours should be familiar with these principles:

- Any and all additional hours worked should be recorded via the appropriate mechanism. Payment cannot be made for any unrecorded hours worked, and the working of unrecorded hours increases risks related to work health and safety, patient safety, and compliance.
- Dishonestly claiming or approving payment may constitute a breach of discipline and/or a criminal offence. This includes payment for unworked hours and payment at rates that are not applicable to the time actually worked.
- In general, prior approval is required for employees to work additional hours. Additional hours worked without prior approval may not attract payment. Strong governance is required, including sufficient evidence of the approval to work the additional hours being granted, as well as accurate and timely recordkeeping.

- Employees who are on call and recalled to work are generally not required to obtain managerial approval to return to work and be paid at the appropriate rate but need to ensure that the reasons for the recall to work and their actual hours worked are accurately recorded.
- Employees should not be required or permitted to work hours that are unsafe with regard to their own health and safety, clinical incident risk, or risk of workplace injury.
- Arrangements for employees to work additional hours, hold themselves on call, be recalled to work, and be paid for such time worked, will vary for different positions and categories of employees. Approval of additional hours needs to be considered within the context of the relevant Industrial Agreement.

2.3 Recordkeeping

All employees, including Senior Officers, are required to maintain an accurate record of attendance and to include the additional hours worked in accordance with the [WACHS Employee Record of Attendance Policy](#) via the approved mechanism in their workplace. Managers need to ensure that details of additional hours are recorded accurately, and that records are maintained in accordance with the:

- [State Records Act 2000](#) (WA)
- [Records Management in the Public Sector - Office of the Auditor General Western Australia](#)
- WACHS [Recordkeeping Plan](#)
- [General Disposal Authority for State Government Information](#)

3. Roles and Responsibilities

Senior Officers:

Senior Officers may be required to work non-standard hours to provide services consistent with professional practice and the needs of the health service.

Arrangements for working and being paid for additional hours vary according to profession, and Senior Officers and their managers should refer to the relevant Industrial Agreement.

Managers are to ensure:

- That direct reports seek approval prior to undertaking any additional hours of work.
- They have the authorisation to approve overtime as per the [WA Country Health Service Authorisation Schedule](#) and escalate requests to the appropriate delegated authority if they do not.
- They provide approval only when the working of additional hours is:
 - operationally necessary including budgetary principles
 - safe, including consideration of fatigue
 - compliant with the relevant policies, procedures, and the applicable [Industrial Agreement](#).
- That records are kept accurately and promptly, including the:
 - total hours actually worked
 - approval to work additional hours
 - operational reasons for the working of additional hours.
- Each period of additional hours worked is claimed only once (i.e. not recorded on a timecard where flexitime is accrued along with overtime payment)

- Human Resources advice is sought if uncertain.

Employees:

- Except when held on call, employees are required to seek approval prior to any additional hours of work being undertaken, as and where appropriate.
- Are responsible for managing their fatigue and need to advise managers when they perceive that working additional hours could compromise their performance or put others at risk.
- Promptly submit an accurate record of additional hours worked according to the approved mechanism.
- Ensure each period of additional hours worked is claimed only once (i.e. not recorded on a timecard where flexitime is accrued along with overtime payment).
- Can't generally authorise their own overtime.

All staff are required to work within policies and guidelines to make sure that WACHS is a safe, equitable and positive place to be.

4. Monitoring and Evaluation

4.1 Monitoring

Senior Officers and Managers are responsible for monitoring compliance with this Procedure.

Timecards and other record keeping processes are required to be monitored in accordance with the applicable Industrial Agreement. Random checks may be carried out to ensure compliance with this Procedure.

Analysis on the use of overtime will be undertaken by Workforce Reporting to identify individuals, sites, regions and occupational groups accruing the most overtime.

Employees are responsible for their own compliance with the requirements of this guideline. This includes keeping accurate records that are submitted in accordance with the Industrial Agreement provisions. Random checks to ensure compliance may be carried out.

4.2 Evaluation

Analysis and examination of overtime data to ascertain if overtime was consistent or a one-off period, and analysis of trends will occur on a quarterly basis.

An overtime management tool will be represented in the Executive Dashboard.

An overall evaluation and review of this procedure will be carried out by WACHS People, Capability and Culture Directorate every two years (or earlier if required).

5. Compliance

Guidelines are designed to provide staff with evidence-based recommendations to support appropriate actions in specific settings and circumstances. As such, WACHS guidelines should be followed in the first instance.

WACHS staff are reminded that compliance with all policies and procedures is mandatory.

6. References

Nil

7. Definitions

Term	Definition
Additional Hours	Hours of work undertaken outside of normal rostered hours and/or outside of the “ordinary hours” as per the applicable Industrial Agreement.
Flexitime	<p>In accordance with the relevant Industrial Agreement, this can include:</p> <ul style="list-style-type: none"> • Flexible start/finish times and/or meal breaks. May include the ability to save hours for later use, take Time Off In Lieu (TOIL), or take time off in advance of working the hours. • Fixed start and finish times which are different to normal department/office hours. <p>Or a combination of the above.</p>
Industrial Agreement	Enforceable set of agreed industrial conditions applicable to specific categories of employees. Provide the conditions, considerations, compensation entitlements, rates of pay, and dispute settlement procedures relevant to approving and working additional hours.
Ordinary Hours	As per the applicable Industrial Agreement, ordinary hours are the hours worked under standard working arrangements which do not attract overtime-specific rates of pay.
Overtime	Payment for additional hours worked at the direction of the manager.
Recall	Work undertaken when an employee has been recalled to work for any purpose.
Senior Officer	<p>Employees employed at:</p> <ul style="list-style-type: none"> • HSU G9 and above • HSU P4 and above • SRN L4 and above <p>Senior Medical Practitioners</p>
TOIL Overtime	In lieu of payment for overtime some categories of employees may, on request, be allowed time off proportionate to the payment to which the employee is entitled.

8. Document Summary

Coverage	WACHS wide
Audience	All staff
Records Management	Non Clinical: Corporate Recordkeeping Compliance Policy
Related Legislation	State Records Act 2000 (WA) Industrial Relations Act 1979 (WA)
Related Mandatory Policies / Frameworks	MP0124/19 Code of Conduct Policy
Related WACHS Policy Documents	Employee Record of Attendance Policy Corporate Recordkeeping Compliance Policy
Other Related Documents	Department of Health Awards and Agreements WACHS Authorisation Schedule WACHS Recordkeeping Plan
Related Forms	Nil
Related Training Packages	Nil
Aboriginal Health Impact Statement Declaration (ISD)	ISD Record: 2106
National Safety and Quality Health Service (NSQHS) Standards	1.1(e), 1.10
Aged Care Quality Standards	Nil
National Standards for Mental Health Services	Nil

9. Document Control

Version	Published date	Current from	Summary of changes
1.00	18/07/2023	18/07/2023	New Guideline

10. Approval

Policy Owner	Executive Director People, Capability and Culture
Co-approver	Nil
Contact	Director Industrial Relations
Business Unit	People, Capability and Culture
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