

HOLIDAY PAY - NON-CONTRACTUAL OVERTIME/ADDITIONAL HOURS POLICY

INTRODUCTION

This policy outlines Tayside Contracts position relating to the payment of holiday pay for non-contractual overtime/additional hours.

Whilst this document is not a Collective Agreement, it is the result of extensive discussions with the relevant Trade Unions. It reflects a collective understanding and commitment from all parties that these provisions are the most favourable that can be achieved for Tayside Contracts' employees.

SCOPE OF POLICY

This policy applies to all Tayside Contracts' employees and relates to overtime and temporary additional hours and when all the provisions outlined below are met.

Overtime is defined as any authorised hours worked beyond 37 in a week (or weekly seasonal hours where applicable) and excludes pre-start checks and travel time. Additional hours are defined as any authorised hours worked beyond an employee's agreed contractual weekly hours.

The effective date of implementation of this policy is 1 January 2019.

PAYMENT OF HOLIDAY PAY ASSOCIATED WITH OVERTIME/ADDITIONAL HOURS

In accordance with Regulation 13 of the Working Time Regulations 1998, holiday pay for non-contractual overtime and additional hours will be paid for a maximum of 20 days per leave year and will be paid in the form of an 8.3% plussage to the plain time hourly rate.

The plussage is to aid more efficient administration of additional payments and is derived from a calculation of 20/241 days x 100 in accordance with COSLA guidance. This is consistent with the plussage already paid on other qualifying Tayside Contracts allowances

The first payment will be made in April 2019 for the period 1 January 2019 to 28 February 2019. Thereafter, holiday pay on overtime and additional hours will be paid annually no later than March via an employee's 4-weekly/monthly salary.

The holiday pay plussage will only be paid on overtime/additional hours where these hours are deemed to have been worked on a 'regular' basis.

For these hours to be considered 'regular', these hours must be worked on at least one occasion *in each of 3 consecutive pay periods*.

This policy also applies to part-time and term-time employees who, provided the qualifying criteria is met, will receive the 8.3% plussage for all hours worked which are additional to their weekly contractual hours (i.e. this does not require hours worked to meet the standard weekly 'overtime' threshold of 37 hours).

Termination of Contract of Employment

If an employee terminates their employment with Tayside Contracts part way through a leave year or if Tayside Contracts terminates an employee's contract of employment, then their non-contractual overtime/additional hours holiday pay entitlement will be calculated on the above basis to the end of their employment. The holiday pay due will be paid along with their final pay.

POLICY VIOLATIONS

Failure to comply with this, or any other employment policy, may result in individuals being investigated and disciplinary action taken against them in accordance with Tayside Contracts' Disciplinary Policy.

RELATED POLICIES

The Holiday Pay - Non-Contractual Overtime/Additional Hours Policy links to the following policies which can be accessed on the Intranet, or requested from your line manager or from the HR Admin Team:

- Holiday Pay Local Collective Agreement

The above list is not exhaustive.

CONSULTATION

Tayside Contracts' recognised Trade Unions have been fully consulted on this employment policy.

POLICY REVIEW

The Holiday Pay Non-Contractual Overtime/Additional Hours Policy will be reviewed after 30 June 2019 and thereafter at three yearly intervals, or as required by legislative changes.

DATA PROTECTION LEGISLATION

Tayside Contracts respects the privacy of our employees, any personal data processed during the application of this policy will be in line with Data Protection Legislation. Further information on how we may process personal data for the purpose of applying this policy can be found in our Privacy Notice.

Should you have any queries or require further clarification regarding any aspects of this policy or related policies please contact, HR Services on 01382 812721 or employment.policies@tayside-contracts.co.uk

If you would like this document translated into another language or in another format such as audio or large print then please contact Angie Thompson, Equalities and Communications Manager on 01382 834165 or angie.thompson@tayside-contracts.co.uk