



Time Off in Lieu of Additional Hours Worked Policy and Procedure

(covering all employees)

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21 March 2016

1. Introduction

Culture NL Ltd recognises that on occasion it may be necessary for employees to work additional hours outside of their normal daily working hours (e.g. to attend evening meetings / set up events or to complete urgent work). Any agreement by employees to work additional hours is on a voluntary basis.

Culture NL Ltd has a duty to protect the health and safety of its employees by ensuring that they do not work excessive hours and that, where it is necessary for them to work additional hours, these are recorded to ensure compliance with the Working Time Regulations.

The purpose of this policy is to ensure that managers and employees are aware of and understand Culture NL Ltd's time off in lieu (TOIL) arrangements so that they are applied consistently.

2. Scope

This policy and procedure apply to all employees of Culture NL Ltd.

3. Definition of TOIL

Time Off in Lieu (TOIL) is defined as paid time taken off work by employees in recompense for additional hours worked outside of their normal working hours.

TOIL should not be accrued on a regular basis. If the employee is regularly required to work additional hours managers are advised to undertake a review of working arrangements.

4. TOIL Rate

TOIL will only be given as a 'plain time' rate i.e. if 4 additional hours are worked only 4 hours may be taken as TOIL.

5. Accruing TOIL

Employees can only accrue TOIL if authorised in advance, by their manager. If this agreement is not in place, any additional hours worked by the employee will not qualify for the accrual of TOIL and will be lost.

Employees who participate in the flexi-time scheme may only accrue TOIL when the additional hours worked are outside of the flexi-time hours (i.e. before 8.00am and after 6.00pm). Further information on the flexi-time scheme is available on CONNECT.

Accrued TOIL hours are **not** transferrable into the flexi-time scheme. Similarly, excess flexi-time hours are **not** transferrable into the TOIL scheme.

Employees who work fixed hours and are not subject to the flexi-time scheme may accrue TOIL for any additional hours worked outside of their normal working hours.

When agreeing the accrual of TOIL, managers must ensure that the employee's working hours adhere to the requirements of the Working Time Regulations. Employee's total weekly working hours must not exceed the 48 hour maximum. The maximum includes hours worked in any other employment with either Culture NL Ltd or an external employer.

Excessive levels of TOIL should not be accumulated. The maximum accrual possible is hours equivalent to 3 working days. However, in exceptional circumstances, due to service delivery needs, and following consultation with HR, managers have discretion to agree an accrual equivalent to up to 10 working days.

Employees should record details of any TOIL accrued or taken using the attached Time Off in Lieu Record Card at Appendix A. Managers must sign the Record Card to indicate approval to accrue has been given.

6. Redeeming TOIL

TOIL can only be taken if agreed, in advance, by the employee's manager. Any requests will be considered in line with operational requirements.

TOIL must be taken as soon as is reasonably possible after accrual. Any time not taken within 12 months of each accrual will be lost.

Where employees participate in the flexi-time scheme, redeemed TOIL will be credited to their flexi-balance. Employees must therefore ensure they make a manual adjustment with the reason selected being "TOIL."

In exceptional circumstances where, due to service delivery needs, a request for TOIL cannot be accommodated within the 12 month period, the employee and manager, following consultation with HR, can agree that accrued TOIL can be taken at another specified time, as soon as is reasonably possible beyond the 12 month period.

Employees should record details of any TOIL accrued or taken using the attached Time Off in Lieu Record Card at Appendix A. Managers must sign the Record Card to indicate approval to redeem TOIL has been given.

7. Abuse of TOIL Scheme

Any suspected abuse of TOIL may result in the employee being immediately excluded from TOIL and will be treated as a disciplinary matter.

