



***NATIONAL UNION OF PUBLIC
AND GENERAL EMPLOYEES***

B. C. Government and Service Employees' Union
Health Sciences Association of British Columbia
Health Sciences Association of Alberta
Saskatchewan Government and General Employees' Union
Manitoba Government and General Employees' Union
Ontario Public Service Employees Union
Canadian Union of Brewery and General Workers
New Brunswick Union of Public and Private Employees
Nova Scotia Government and General Employees Union
PEI Union of Public Sector Employees
Newfoundland & Labrador Association
of Public and Private Employees

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Collective Bargaining Series

#5 Time Off in Lieu of Overtime Pay



BARGAINING FOR TIME OFF IN LIEU OF OVERTIME PAY

Since you asked.

This is why time off in lieu
of overtime pay is
important.

MANY WORKERS prefer to make extra money by working overtime and receiving the higher wage rate as compensation. There are, however, many workers who would rather be given paid time off instead, or a combination of both.

Time off in lieu of overtime pay allows workers to spend more time on personal and family related events. It can also provide workers and employers with more scheduling flexibility; for example, giving workers the opportunity to work extra hours during busy periods of the year and to take extra days off during the slower months of the year.

There are five provinces in Canada that have provisions in their labour legislation dealing with time off in lieu of overtime pay, where employees and employers agree. In British Columbia, for example, workers, with the agreement of their employer, can bank their overtime hours. After banking their hours the worker can request at any time to be paid all or part of the overtime wages or to take equivalent time off with pay.

In 1998, 33.6% of major collective agreements in Canada contained a clause for time off in lieu of overtime pay. In 1993 the number was 36.3% and in 1998, 40.5% of major collective agreements contained such clauses. Clearly, giving people paid time off instead of overtime pay, preferably at the option of the worker, is an increasingly popular thing to do.

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PUT IT ON THE TABLE

Put your rights to work over time. Effective contract language makes the difference.

Collective Agreement between the Newfoundland Nursing Homes Association and the Newfoundland & Labrador Association of Public and Private Employees (NAPE / NUPGE):

Instead of cash payment of overtime, an employee may choose to receive time at the appropriate overtime rate at a time to be mutually agreed between the employee and his / her supervisor. The Employee's decision to receive time off must be conveyed to the Supervisor within seventy-two (72) hours of the conclusion of the overtime. Should the time off not be given within sixty (60) calendar days, the employee shall receive pay at the appropriate overtime rate.

Collective Agreement between the Manitoba Public Insurance Corporation and Manitoba Government and General Employees' Union (MGEU / NUPGE) 1997 - 1999:

An employee may, with the approval of the Corporation, elect to receive time off in lieu of overtime pay, at a time that is mutually agreeable (...) Time in lieu will be taken at appropriate overtime rate.

THE NATIONAL WAY

Helping you set the table. Helping you get a better deal at work.

• Describing why it's necessary.

Your National Union researches, analyzes and challenges the reasons for bargaining this issue. We look at possible alternative approaches which might be preferable or more beneficial to our members. The National Union and its Working Groups are in touch with our members' needs, explore various options for addressing these needs, and track national and provincial developments in this area.

• Communicating your rights province-by-province.

Connecting with its members about their rights at work is a big part of what your National Union does. Publications. Leaflets. Posters. Buttons. Videos. We produce a stream of these materials. What you need to know about your rights. When you need to know it. We're always ready to help.

• Providing union education and training.

Working with our component education officers, the National Union develops and delivers union education and training courses designed to deepen our members' understanding of issues like this one. These courses provide advice and support to frontline workers who must deal with issues like this on a day-to-day basis in their workplace.

• Campaigning: from silence to voice.

Your National Union is a campaigning union. We coordinate national campaigns on vital workplace issues like this one. We work with other national and provincial organizations active in this field to identify and distribute resource material to workplaces. We work hard to make sure your voice is heard by the larger policy community.

• Negotiating a strong deal.

Everything your National Union does is characterized by its commitment to the development and furthering of our main organizational goal of ensuring that strong collective agreements are negotiated and enforced on your behalf. We help our components develop the best negotiating resource materials, contract language, and strategies to defend our members and the services they provide.

GET OTHER IMPORTANT INFORMATION

More information is just one click or call a way. Check it out.

Many of our component unions offer education courses that assist workers in discussing and developing strategies to deal with the challenges of balancing their many roles as worker, union activist, and parent. The National Union has put together a **Catalogue of Union Education Courses** which describes these courses and others.

To obtain copies of this material, the NAPE/NUPGE or MGEU/NUPGE Collective Agreements, or if you need further information please contact the National Union at:

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