

18.5 WORKING WEEK, FLEXTIME, WORKERS ON SHIFT/ ROSTER/STAGGERED HOURS AND OVERTIME

18.5.1 In this Section, we deal with the standard working week and the normal hours of attendance; the flexible pattern of attendance to reduce tardiness of public sector employees; flexitime; the pattern of working time of workers on shift, roster and staggered hours, overtime, and other provisions governing hours of attendance. We also overview and evaluate the existing provisions governing flexible hours of attendance to combat tardiness in the Public Sector, clarify certain issues to render the system more implementable, and maintain the whole concept of flexible hours of arrival and departure, thus allowing Chief Executives to adapt to the system to suit their operational requirements.

18.5.2 The standard working week currently in force in the Public Sector is as follows:

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|-------|---|---|
| (i) | For employees of Workmen's Group and other manual grades (excluding Watchmen) | : 40 hours |
| (ii) | Watchmen | : 60 hours |
| (iii) | Employees Working on shift | : 40 hours or a multiple of 40 hours, where the shift covers a cycle. |
| (iv) | Employees Working on Roster and Staggered hours | : Not less than 33 ³ / ₄ hours and not more than 40 hours as specified by Responsible Officers. |
| (v) | Employees belonging to Disciplined Forces | : As specified by Responsible Officers |
| (vi) | All other officers | : Between 33 ³ / ₄ hours and 40 hours as specified by the Responsible Officer. |

Any employee may be required to operate on a six-day week basis provided the normal working week is in accordance with provisions (i) to (vi) as specified above.

18.5.3 Shift workers may be required to work on roster or at staggered hours, if the exigencies of the service so require.

Recommendation 1

18.5.4 We recommend that the provisions governing the Standard Working Week currently in force in the Public Sector, as outlined above, be maintained.

Hours of Attendance

18.5.5 Hours of work are an important component of an employee's terms and conditions of service. At present, full-time employees are invariably required to put in between 33 $\frac{3}{4}$ hours and 40 hours of work weekly except for employees in the grade of Watchman whose normal working week is 60 hours. Each organisation schedules its employees' starting working time and departure time within the specified limits in order to provide services.

18.5.6 The normal hours of attendance for full-time employees other than those working on shift, roster and staggered hours and for those working in essential services providing a 24-hour coverage are as specified below:

For five-day week basis:

Monday to Friday : 8.45 a.m. to 4.00 p.m. (half hour for lunch)

For six-day week basis:

Monday to Friday : 9.00 a.m. to 3.30 p.m. (half hour for lunch)

Saturday : 9.00 a.m. to noon

Workmen's Group and other manual grades putting in 40 hours weekly:

Monday to Friday : 7.00 a.m. to 3.15 p.m. (one hour for lunch)

Saturday : 7.00 a.m. to 10.45 a.m.

Recommendation 2

18.5.7 Responsible Officers of Ministries/Departments/Organisations should continue to be responsible for specifying the working hours of officers working under their responsibility taking into consideration the operational needs of their organisations.

Flexible Hours of Attendance to Combat Tardiness

18.5.8 In the context of the current overall Review exercise, the Bureau conducted a survey on the flexible hours of attendance in the Public Sector to take stock of the availability of flexible working hours in public sector organizations, assess the current situation, take cognizance of the effectiveness of past recommendations in minimizing/reducing tardiness in the Public Sector, identify implementation problems/hindrances and provide for remedial action to improve the system.

18.5.9 A survey questionnaire was sent to all Heads of Ministries/Departments, Parastatal and other Statutory Bodies, Local Authorities and Rodrigues Regional Assembly inviting them to furnish information on the

introduction/implementation of flexible hours of attendance in their respective organizations.

- 18.5.10 With a view to getting a clear picture of the current situation, the information sought for through the questionnaire covered, among others, the introduction of the flexible pattern of attendance, the mode of recording attendance of employees, including the introduction of a computerized attendance system, the number of employees benefiting from the flexible hours of attendance, the maintenance of a time banking account in respect of each officer, the grant of time off facilities against additional hours of work put in and any practical difficulty encountered in the implementation of previous recommendations.
- 18.5.11 Hereunder, are the major findings as revealed by the survey.

Findings and Observations

- 18.5.12 64 organizations out of 78 in the Civil Service, 49 Parastatal Bodies out of 85 and eight out of the nine Local Authorities responded to the survey.
- 18.5.13 The survey has revealed that out of the 64 organisations in the Civil Service which responded to the survey, 31 did not introduce the flexible pattern of attendance. In the Parastatal Organisations, out of the 49 organisations which have responded, 29 did not introduce the flexible pattern of attendance, and similarly in the Local Authorities three out of the eight respondents have not introduced the flexible pattern of attendance.
- 18.5.14 The major difficulties encountered by those organizations which have not introduced the Flexible Hours of Attendance are due, *inter alia*, to the following reasons: the Flexible Hours of Attendance is time consuming and requires additional manpower for proper monitoring. Attendance register system has to be run in parallel as the electronic attendance system is sometimes not reliable due to frequent breakdowns; it is a time consuming exercise to monitor attendance of officers on the manual attendance register. Monitoring of officers after normal working hours is difficult and attendance beyond 1600 hours requires supervision; keeping an account of all early and late arrivals and making the appropriate refund and deduction with respect to each and every officer is very cumbersome and time consuming.
- 18.5.15 Other organizations have not introduced the flexitime pattern of attendance due to the following: the size of the organization; the nature of operations; officers, by the very nature of their work, perform field work and thus it is difficult to monitor their hours of attendance; working after normal office hours entails additional costs to the organizations which would warrant payment of overtime to Attendants for closing of office; and work is done on a shift system.

- 18.5.16 At the Rodrigues Regional Assembly (RRA), the Flexible Hours of Attendance has not been adopted by the Assembly. The Acting Island Chief Executive has submitted that in most Departments in the Rodrigues Regional Assembly, the nature of work performed by officers does not allow for the introduction of the flexitime pattern of work and that there is no Computerised Attendance System at the RRA or other Commissions of the RRA. He is of the view that being given that the monitoring of an attendance register is time consuming as regards the computation of late/early hours of attendance and require appropriate control measures, the provision of a computerized monitoring system will be helpful.
- 18.5.17 Out of the 121 organisations which responded to the survey, 37 agree that the system has been able to induce desired employee behaviour in service delivery, whereas 24 of them do not agree and the remaining others did not express any opinion.
- 18.5.18 Those who agree that the flexible pattern of attendance has been able to induce desired employee behaviour argue, among others, that staff are motivated by benefiting time-off facilities, as and when needed, by usually attending office early in the morning; officers have to refund their lateness/early departures from their leave entitlement; flexible hours of attendance has led to improved punctuality, which is beneficial to both management and employees; the system is meeting essentially the individual needs of officers; it avoids the stress of travelling at peak time; employees are not being penalized for lateness which is out of their control; employees are aware that there is a win-win situation for both employer and employee; employees are more conscious of the need to put in the required number of working hours, for a more efficient Public Sector; and the flexible pattern of attendance brings a better output and positive behaviour from officers.
- 18.5.19 On the other hand, organizations which do not agree that the flexible hours of attendance have induced desired employee behaviour are of the view that : tardiness is mainly due to unforeseen circumstances such as traffic jam, bad weather; the scheme gives officers a licence to reach office late and depart early in the afternoon; the attendance of habitual latecomers has not improved; the behavioural aspect of an officer does not depend on flexible hours of attendance; officers do not have any objection that their lateness be offset against their leave entitlement and continue to attend office after 0845 hours or 0900 hours; habitual latecomers still continue to arrive late at work frequently; it is not practical to control attendance after 1600 hours due to lateness in the morning; and there has been no change in employee behaviour as the recommendations have not been fully implemented.

Suggestions and Comments

- 18.5.20 The implementation of the flexible hours of attendance in the Public Sector has been diversely commented upon by Chief Executives and other Responsible Officers who have made some valuable suggestions for improving the system. Some of those suggestions/remarks may be enumerated as hereunder:
- 18.5.21 The present provisions in connection with the flexible hours of attendance should be maintained as long as safeguards and measures of control are put in place to prevent abuse; flexitime should be extended to all categories of employees, including those in the Workmen's Group along with the same benefits as for other employees; a mechanism should be devised involving a proper structure for the monitoring and supervision of officers who have to work beyond normal hours of work for compensating late arrivals; late arrivals, if not compensated, should be deducted from vacation leave and not from casual leave; balance of excess hours be carried forward at the end of December or to be accumulated up to a maximum number of days in the vacation leave entitlement; introduction of a Computerised Attendance/Time Clock System whereby hours of attendance and lateness, etc., will be computed automatically.
- 18.5.22 On the whole, it has been commented that flexitime is slowly becoming a beneficial tool both for the officers concerned who can perform without undue stress at their own pace and for Management as well, as it enables the latter to ensure that a number of core staff is available to attend to urgent unforeseen work after normal working hours.
- 18.5.23 The Flexible Hours of Attendance, if implemented correctly and in uniformity throughout the Public Sector, by means of a reliable computerized attendance system effectively address the problem of tardiness in the Public Sector. It improves employee's performance and productivity and reduces costs in terms of overtime paid to employees.
- 18.5.24 At present, the following provisions govern the flexible hours of attendance to combat tardiness in the Public Sector:
- A. For officers operating on a five-day week basis i.e. Monday to Friday: 8.45 a.m. to 4.00 p.m. (half an hour for lunch):
- (i) Attendance between 8.45 a.m. to 9.15 a.m. is not considered as lateness, subject to the ensuing provisions governing hours of attendance.
 - (ii) Early arrivals, i.e. between 8.30 a.m. to 8.45 a.m. is taken into account for the purpose of determining the prescribed normal working hours.
 - (iii) Subject to the exigencies of the service, departure time is allowed between 3.45 p.m. and 4.30 p.m.

- (iv) A maximum of half day off at a time is permissible against the corresponding excess hours accumulated in the excess hours of attendance in bank. Same lapses automatically at the end of the year, if not availed, except the excess hours for the month of December which is carried forward.
 - (v) Late arrivals cannot be compensated by working after 4.30 p.m. exception made for senior officers who are neither eligible for overtime nor for extra duty allowance in lieu of overtime.
 - (vi) All periods of lateness in the morning can be offset from the accumulated excess hours of attendance in bank/leave entitlement.
 - (vii) Refund of lateness by working beyond 4.00 p.m. is allowed only upon approval of the Responsible/Supervising Officer, or a Senior Officer designated by him.
 - (viii) Hours of work, beyond 4.00 p.m. can also be considered for determining the prescribed normal working hours, subject to the approval of Management.
 - (ix) Lateness up to a maximum of 15 minutes, i.e. after 9.15 a.m., can be offset against early arrivals or late departures only in occasional cases.
 - (x) Persistent lateness after 9.15 a.m., absences during working time without authorisation and excess time taken for lunch is deducted from leave entitlement. Regulation 42(1) (c) of the PSC Regulations is applied in case of regular defaulters.
 - (xi) Late arrivals for reasons beyond individual control, e.g. heavy rainfall, major road accidents, unusual traffic jam, etc., may not be considered as lateness subject to the approval of the Supervising Officer.
 - (xii) For officers not eligible to overtime payment and extra duty allowance and who are required to work regularly beyond 4.00 p.m., attendance after 9.15 a.m. is not considered as lateness subject to the approval of the Responsible/Supervising Officer.
 - (xiii) The provision made at paragraph (xii) above is also applicable to officers who have been granted permission for homeworking based on completion of allocated assignments.
- B. For officers operating on a six-day week basis i.e. Monday to Friday - 9.00 a.m. to 3.30 p.m. (half an hour for lunch) and on Saturday - 9.00 a.m. to noon:
- (i) Attendance between 9.00 a.m. to 9.30 a.m. is not considered as lateness subject to the ensuing provisions governing hours of attendance.

- (ii) Early arrivals, i.e. between 8.45 a.m. to 9.00 a.m. are taken into account for the purpose of determining the prescribed normal working hours.
- (iii) Subject to the exigencies of the service, departure time is allowed between 3.15 p.m. and 4.00 p.m.
- (iv) A maximum of half day off at a time is permissible against the corresponding excess hours accumulated in the excess hours of attendance in bank. Same lapses automatically at the end of the year, if not availed, except the excess hours for the month of December which is carried forward.
- (v) Late arrivals cannot be compensated by working after 4.00 p.m. exception made for senior officers who are neither eligible for overtime nor for extra duty allowance in lieu of overtime.
- (vi) All periods of late arrivals in the morning can be offset from the accumulated excess hours of attendance in bank/leave entitlement.
- (vii) Refund of lateness by working beyond 3.30 p.m. is allowed only upon approval of the Responsible Officer.
- (viii) Hours of work, beyond 3.30 p.m. can also be considered for determining the prescribed normal working hours, subject to the approval of Management.
- (ix) Lateness up to a maximum of 15 minutes, i.e. after 9.30 a.m., can be offset against early arrivals or late departures only in occasional cases.
- (x) Persistent lateness after 9.30 a.m., absences during working time without authorisation and excess time taken for lunch is deducted from leave entitlement. Regulation 42(1) (c) of the PSC Regulations is applied in case of regular defaulters.
- (xi) Late arrivals for reasons beyond individual control, e.g. heavy rainfall, major road accidents, unusual traffic jam, etc., may be considered as lateness subject to the approval of the Supervising Officer.
- (xii) For officers not eligible to overtime payment and extra duty allowance and who are required to work regularly beyond 3.30 p.m., attendance after 9.30 a.m. is not considered as lateness subject to the approval of Responsible/Supervising Officer.
- (xiii) The provision made at paragraph (xii) above is also applicable to officers who have been granted permission for homeworking based on completion of allocated assignments.

- C. Subject to the provisions of paragraph 18.5.24 A (xii), A(xiii) and B(xii) and B(xiii), organisations should ensure that officers are in attendance during the following core hours of work, as follows:
- Officers operating on a five-day week basis – between 9.15 a.m. and 3.45 p.m.;
- Officers operating on a six-day week basis – between 9.30 a.m. and 3.15 p.m.
- D. Organisations have to ensure that there is adequate office coverage during official hours so that customer service is not affected by the pattern of work attendance. Employees may work beyond the official hours, if required by management, subject to the exigencies of the service.
- E. Organisations have to keep an account of late/early arrivals in respect of each officer on a monthly basis. Any excess hours of attendance beyond the prescribed normal weekly hours of work (i.e. 33¾ hours weekly), is credited in the bank on a monthly basis. Hours of attendance below the prescribed normal weekly hours of attendance is deducted from any outstanding balance in bank of attendance or leave entitlement on a monthly basis. Monthly excess hours of attendance beyond normal working hours is carried forward to the next month but lapses automatically if not availed of by the end of the calendar year.
- F. Officers choosing to attend work more than the normal contractual weekly hours of work under the above provisions, are not eligible for overtime.
- G. Where an officer has exhausted all his leave entitlement, the Responsible Officer may then initiate action under Regulation 42(1) (c) of the Public Service Commission Regulations for the duration of lateness to be deducted from his salary.
- H. An officer is, upon request, granted time-off against any excess hours of work put in, subject to the exigencies of the service.
- I. The normal contractual weekly hours of work is maintained. Officers working on a five-day week basis, i.e. 8.45 a.m. to 4.00 p.m. (half hour for lunch) and officers working on a six-day week basis, i.e. 9.00 a.m. to 3.30 p.m. (half an hour for lunch) are allowed to maintain the present pattern. This provision also applies to officers mentioned at sub-paragraph (F) above.
- J. For officers required to provide a 24-hour service in the Health Sector, whether on shift or not, the normal attendance hours in force as at 31 December 2012, are maintained. Management continues to be responsible for the working hours of officers in the Health Sector.

- K. Management continues to be responsible for establishing the working hours of the teaching profession.
- L. Where flexible pattern of attendance is not feasible particularly on sites outside the capital, Management should continue to operate on the system prevailing prior to 1 January 2013, subject to the approval of the MCSAR. Cases of lateness and absences during working time without authorisation are deducted from leave entitlement in the first instance. In case of no improvement in the officer's record of late attendance and the excess time taken for lunch, the Responsible Officer may initiate action, under Regulation 42(1) (c) of the PSC Regulations, for the duration of lateness to be deducted from the officer's salary.

M. Workmen's Group

Officers falling in this category operate within the prescribed hours. Period of lateness are computed monthly and deducted from leave entitlement.

N. Workers on Shift, Roster and Staggered Hours

- 18.5.25 Officers working on shift, roster and staggered hours continue to work within the prescribed time. Period of late attendance, excess time taken for lunch and absences from offices without authorisation are deducted from leave entitlement in the first instance. All cases of persistent lateness are dealt with in accordance with Regulation 42(1) (c) of the PSC Regulations.
- 18.5.26 **Given that the foregoing provisions have proved to be effective, The provisions governing the Flexible Hours of Attendance in the Public Sector as enumerated, at paragraphs 18.5.23 and 18.5.24 are being maintained.**
- 18.5.27 At present the measures under Regulation 42(1) (c) of the PSC Regulations are enforced against habitual latecomers so that lateness after 0915 hours is effectively addressed. For the sake of uniformity in the application of the provisions under the flexible pattern of work, habitual latecomers have been defined as those attending work regularly after 9.15 a.m. for at least five days per month over a period of three consecutive months. Lateness as a result of traffic jam or similar event officially reported to a Supervising Officer, where several officers are involved, is subject to his approval not deemed to be lateness for that day for the purpose of this paragraph. **We are maintaining these provisions.**

Recommendation 3

- 18.5.28 **We further recommend that, with a view to effectively addressing the attendance pattern of habitual latecomers, the provisions made under Regulation 42(1) (c) of the PSC Regulations should continue to be implemented.**

- 18.5.29 Ministries/Departments/Organisations are advised to expedite matters for the introduction of time clocks or a computerised attendance system to monitor more correctly the time of arrival and departure, as well as absence from office during office hours. **We recommend accordingly.**

Flexitime

- 18.5.30 Flexitime implies that employees work a fixed number of hours with flexibility in their time of arrival and departure provided that they attend office within a core time during the working day. Employees are given the opportunity to attend or leave work during well-defined periods, provided that they are at the office within a core time normally during the central part of the working day.
- 18.5.31 In our last Report, we had made provisions that, subject to the approval of the MCSAR and after consultation with the staff side, Ministries/Departments/Organisations should expedite the introduction of flexitime where demand exists and resources permit.
- 18.5.32 We also recommended that Ministries/Departments/Organisations operating counter services and introducing flexitime, should in the design of the *modus operandi*, ensure as far as possible, that a continuous uninterrupted service is provided over an extended period.

Recommendation 4

- 18.5.33 We recommend that provisions be made by the relevant authorities for the introduction of the proper Flexible Hours of Attendance in the Public Sector.**

Flexiplace: Homeworking

- 18.5.34 In the 2008 PRB Report, we also introduced the concept of flexiplace – homeworking in the Civil Service.
- 18.5.35 Flexiplace is an arrangement whereby staff perform work in places other than the office whereas Homeworking is an arrangement involving people undertaking work primarily in their homes or who travel extensively but are primarily based at home.
- 18.5.36 We have recommended that Chief Executives of Ministries/Departments/Organisations may, for assignments that are project-based with verifiable performance indicators and for which there can be no disagreement on what is needed for the target to be achieved, allow officers particularly of the level of a professional and above to work from home on certain assignments where demand exists and resources permit.

Recommendation 5

18.5.37 We recommend that the above provisions in respect of Flexiplace and Homeworking be maintained.

Definition

18.5.38 **Shift work** is a flexible working arrangement for a 24-hour coverage where one employee replaces another or where different group of workers do the same job one after another and whereby workers normally work 40 hours weekly, or an average of 40 hours weekly in a cycle. These workers work in relays on a 24-hour basis including invariably night duty and work on Sundays and Public Holidays.

18.5.39 **Workers operating on a roster basis** do not work on a 24-hour basis but according to a structured pattern of work specifying the starting times and finishing times of turns of duty which may or may not include night duty. **Workers operating on roster (day)** are those whose turn of duty starts either at or after 4.00 a.m. or goes up to 8.00 p.m. **Workers operating on roster (day and night)** are those whose turn of duty may start either before 4.00 a.m. or extend beyond 8.00 p.m.

18.5.40 **Workers categorised as working at staggered hours** work normal hours but are called upon to work, on a regular basis, at irregular hours including Saturdays and Sundays against time-off during their normal working hours. It is a way of covering a longer day.

18.5.41 **Night work** means work which is performed during a period of not less than seven consecutive hours, including the interval from midnight to 5.00 a.m.

Workers on Shift, Roster and Staggered Hours

18.5.42 At present, workers on shift, roster and staggered hours are governed by special provisions regarding, *inter alia*, work on Public Holidays and the different forms of compensation.

18.5.43 Sunday is considered as a normal working day for workers on shift, roster and staggered hours.

18.5.44 The following provisions apply to workers on shift, roster and staggered hours:

- A. An additional day off is given to workers on shift and workers employed on a roster basis whose day off coincides with a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday). Those who work on a public holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday) are granted two days off.

- B. The ensuing provisions have been made for workers on shift and workers on roster who cannot be granted days off as per provision at paragraph 'A' above:
- (i) one day's pay for a day off coinciding with a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday); and
 - (ii) two days' pay for actually working a whole shift/roster on a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday).
- C. When a shift or roster covers part of a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday) and part of a normal working day, officers working on that shift or roster are granted:
- (i) no compensation for working up to one hour on a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday);
 - (ii) half day off or half day's pay for working more than one hour and up to four hours on a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday);
 - (iii) one day's off or one day's pay for working more than four hours and up to eight hours on a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday); or the officer may accrue one additional day of casual leave;
 - (iv) two days' off or two days' pay whenever they work more than eight hours on a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday) or the officer may accrue two additional days of casual leave; and
 - (v) a maximum of three days off or three days' pay for working for a continuous period of 24 hours spread over two consecutive Public Holidays (other than a normal Sunday not coinciding with a proclaimed Public Holiday) or the accrual of three additional days of casual leave.
- D. The maximum accrual of additional casual leave should be five days which should be availed within the same year. The computation for such leave accruals is kept separate from any other form of leave.
- E. Days off granted for work performed on a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday) and in respect of days off coinciding with a Public Holiday (other than a normal Sunday not coinciding with a proclaimed Public Holiday) should be considered as approved leave for the purpose of computation of overtime.

- F. Workers are allowed to exchange shifts or rostered days off by mutual agreement and with the consent of their supervisors, provided that such an arrangement does not give any employee an entitlement to the payment of overtime.
- G. The normal entitlement of sick/casual leave of all shift workers should be converted into the corresponding number of hours on the basis of one day being equal to eight hours' work. For absence on any shift, the exact number of hours the shift worker was scheduled to work is deducted from his sick/casual leave entitlement. However, the officer may be given the option to reimburse by working additionally the number of hours in excess of the eight hours, in lieu.
- H. Shift schedules must, as far as possible, ensure that:
- (i) shift starts or ends at times which would be convenient to both management and employees in the interest of the service;
 - (ii) public transport is/would be available within a reasonable time; and
 - (iii) unduly long shifts, without lying-in period be avoided.
- I. For shift involving night work, the following measures must be ensured:
- (i) two consecutive full time shifts should not be performed by the same shift workers, except in unavoidable circumstances;
 - (ii) as far as possible, a rest period of at least 11 hours between two shifts should be guaranteed, except for disciplined forces; and
 - (iii) employees do not permanently work on night shifts.

One day's pay in respect of workers on shift/roster/staggered hours is equivalent to eight times the hourly rate.

$$\text{Hourly rate} = \frac{\text{Annual salary for the financial year}}{52 \times 40}$$

Recommendation 6

18.5.45 We recommend that Sunday should continue to be considered as a normal working day for employees working on shift, roster and staggered hours. We also recommend that all the provisions, as enumerated at paragraph 18.5.44, currently in force in respect of workers on shift, roster and staggered hours be maintained.

Compensation for Shift Work/Roster/Staggered Hours

- 18.5.46 The compensation for workers operating on shift/roster/staggered hours has been made in their respective salaries, unless otherwise specified.
- 18.5.47 We have maintained the recommendation that Management should ensure regular rotation of such categories of staff in a spirit of equity to all employees.
- 18.5.48 A night shift allowance is paid to all those shift workers who effectively perform night shift; i.e. those effectively working the hours of midnight up to 5.00 a.m.
- 18.5.49 We recommended that the compensation outside salaries in respect of shift work performed at night, be maintained.
- 18.5.50 The following special provisions in respect of night shift workers have been maintained.
- (i) employees not falling in areas of high turnover/scarcity who have completed 25 years on shift work may be given special consideration with respect to posting of day work, if available, subject to the exigencies of the service;
 - (ii) Shift workers aged 50 years or more, who have worked as night shift workers for 25 years or more may be given special consideration with respect to opportunities for voluntary early or phased retirement, subject to the exigencies of the service;
 - (iii) Night shift workers drawing overtime allowances or any other allowance for work performed between 11.00 p.m. and 5.00 a.m. should not be paid the night shift allowance.

Recommendation 7

- 18.5.51 The compensation measures for Shift Work/Roster/Staggered Hours as enunciated above are maintained.**

Overtime

- 18.5.52 Employees who work extra hours beyond their normal working day are generally compensated for the extra hours either through overtime payment or compensatory time (equivalent time off).
- 18.5.53 The general principles and the conditions under which overtime is granted as well as the manner in which overtime is calculated are outlined below.

General Principles

18.5.54 Overtime work is work undertaken over and beyond an officer's normal working hours. The general principles governing the payment for overtime in the public service may be summarised as follows:

- (a) overtime work should be kept to a minimum and should only be undertaken when unavoidable;
- (b) overtime work may be compensated by time-off in lieu of payment;
- (c) employees would not work overtime unless specifically requested to do so by their supervisors in the interest of the service; and
- (d) senior officers of certain levels are not eligible to payment of overtime.

Control of Overtime

18.5.55 Overtime is occasionally necessary to get the job done but excessive overtime is hurtful to taxpayers. Every attempt should, therefore, be made to schedule workload so that the need for overtime is kept to a minimum. However, situations may arise which make overtime unavoidable such as staff illness, special projects, and emergencies. Improved monitoring should ensure that overtime when performed is the most cost-effective way to meet goals and responsibilities.

18.5.56 To control overtime, Management, subject to the concurrence of the MCSAR, must:

- (a) arrange for work shifts/pattern of work to be changed in case of work of long or continuous duration that need to be completed after normal working hours;
- (b) ensure that reports and records be improved to strengthen accountability of overtime use;
- (c) develop procedures and standards for evaluating when an unscheduled absence in identified posts may require scheduling officers for overtime work;
- (d) identify posts which may not need scheduling officers for overtime if workload is light; and
- (e) adequately monitor overtime on an individual basis to prevent employees from working excessive overtime.

Administration of Overtime Payment

18.5.57 Overtime must be authorised in advance by an officer who is himself not eligible for overtime. Records should be kept of the work performed during an overtime period, i.e. the actual times at which an officer commences and ceases to work overtime.

Eligibility for Overtime

- 18.5.58 Employees, except those in the grade of Watchman, qualify for overtime allowance after having performed more than 40 hours' work in a week. Watchmen qualify for overtime for work performed in excess of 60 hours.
- 18.5.59 Employees who normally put in less than 40 hours weekly are paid overtime allowance for any work done in excess of their normal hours provided they work in excess of 40 hours in a week.
- 18.5.60 Employees who normally put in less than 40 hours weekly, and who work overtime for a continuous period of over one week, are paid for any work done in excess of their normal hours of work, provided they have worked an average of 40 hours a week during the period of overtime.

Overtime for Shift Work

- 18.5.61 The practice regarding overtime for shift workers is as follows:
- (a) a shift worker is not entitled to overtime allowance for any work performed on Sundays and Public Holidays except where such work is performed in excess of the normal hours for the day or such work falls outside his shift;
 - (b) a shift worker is not required to perform more than six days' work in a week;
 - (c) shift workers are paid overtime at approved rates for work in excess of 40 hours in a week, where the shift is of 40 hours weekly; and for work in excess of the appropriate multiple of 40 hours, where the shift covers a cycle; and
 - (d) watchmen are paid overtime at approved rates for work in excess of 60 hours in a week.

Overtime Rates and Computation of Overtime

- 18.5.62 Overtime allowance is based on the actual number of hours put in and the number of hours which the officer is deemed to have worked, as the case may be. A worker, on approved leave on any working day, is deemed to have put in eight hours of work or the number of hours he should have worked on that day, whichever is less. A non-shift worker is deemed to have put in eight hours of work or the number of hours of work he should normally have worked, whichever is less, in respect of any public holiday falling on a weekday.
- 18.5.63 Where an officer performs the duties of a higher office, overtime allowance is computed on the basis of the total emoluments of the officer, inclusive of any acting or responsibility allowance drawn by him.

18.5.64 The computation of the hourly rate for overtime in respect of officers who are performing the duties of a higher office should be

(Monthly Salary + Responsibility Allowance) x 12

52 x 33.75 or 40 (as applicable)

18.5.65 The rates for payment of overtime are presently as follows:

Period	Hourly Rate
Between 6.00 a.m. and 11.00 p.m. on weekdays	1.5 times hourly rate
Between 11.00 p.m. and 6.00 a.m. on weekdays	twice hourly rate
On Sundays or Public Holidays and officially declared cyclone days	twice hourly rate

18.5.66 Hourly rates are calculated on the following basis:

- (a) For Workmen's Group including Watchmen and Shift Workers, Workers on Roster/Staggered hours as well as officers who put in 40 hours of work weekly:

Annual salary for the financial year

52 x 40

- (b) All other Workers/Officers

Annual salary for the financial year

52 x 33.75

Recommendation 8

18.5.67 We recommend that all the provisions governing overtime be maintained.

18.5.68 We recommend that the working week for computation of overtime should be as specified at paragraph 18.5.2.

Salary Ceiling for Overtime

18.5.69 Presently, officers drawing less than Rs 29000 monthly are entitled to payment of overtime allowances.

18.5.70 Furthermore, officers drawing basic salary from Rs 29000 to Rs 40000 monthly, who are required to work beyond their normal working hours owing to the nature of their duties for the execution of urgent tasks or for completion of work which cannot be postponed, are paid the hours of overtime at 80% of the prescribed rate.

Recommendation 9

- 18.5.71** We recommend that officers drawing basic salary of less than Rs 35400 be eligible for the payment of overtime allowances.
- 18.5.72** We also recommend that officers drawing basic salary from Rs 35400 to Rs 48600 monthly, who are required to work beyond their normal working hours owing to the nature of their duties for the execution of urgent tasks or for completion of work which cannot be postponed, should be paid the hours of overtime at 80% of the prescribed rate.
- 18.5.73** According to MCSAR Circular Note No. 5 dated 26 September 2005, Supervising Officers and Officers-in-Charge of Ministries/Departments are authorised to approve the payment of such overtime at their own level, with effect from 01 October 2005 subject to the availability of funds under the appropriate Vote item.
- 18.5.74** However, in so doing, they should ensure:
- (a) that such work is performed only when it is absolutely necessary and is cost-effective and is authorized in advance;
 - (b) strict monitoring of the work, on an individual basis, to prevent employees from resorting to excessive overtime; and
 - (c) that quarterly detailed returns of any such payments made is submitted to the Ministry of Civil Service and Administrative Reforms.

Recommendation 10

- 18.5.75** We recommend that Supervising Officers and Officers-in-Charge of Ministries/Departments should continue to approve the payment of overtime allowance at their own level, subject to availability of funds under the appropriate Vote item.
- 18.5.76** We further recommend that, in so doing, they should continue to ensure:
- (i) that such work is performed only when it is absolutely necessary, is cost-effective and is authorised in advance;
 - (ii) strict monitoring of the work on an individual basis to prevent employees from resorting to excessive overtime; and
 - (iii) that quarterly detailed returns of any such payments made are submitted to the MCSAR.

Overtime Allowance in the Disciplined Forces

- 18.5.77** Officers of the Disciplined Forces (Fire, Police, Prisons) are not eligible for overtime allowance but are paid a commuted allowance in connection with special assignments.

Recommendation 11

18.5.78 We recommend that officers of the Disciplined Forces (Fire, Police, Prisons) should continue to be paid a Commuted Allowance in connection with special assignments.

Compensation for work performed on Saturdays

18.5.79 In the 2012 Budget Speech, Government has announced that to improve access to public services, wherever possible, Government will open its offices on Saturdays. After careful consideration of this proposal, the Bureau has decided that officers operating on a five-day week basis, who would be called upon to work on Saturdays, should be granted some form of compensation. We are recommending accordingly.

Recommendation 12

18.5.80 We recommend that officers operating on a five-day week basis who are required to work on a Saturday, should, as far as practicable, be granted, in the ensuing week, time-off equivalent to the number of hours put in on that Saturday.

Attendance of duty after the lifting of a cyclone warning

18.5.81 It is known from past experience that, after the lifting of a cyclone warning Class III or IV, and depending upon the time at which the official communiqué is issued by the Meteorological services, it is not always clear to officers whether they should attend duty or not.

18.5.82 According to MCSAR Circular Letter No. 46 dated 17 November 2006, officers are required (a) to attend duty as soon as a cyclone warning Class III or IV is officially lifted, provided this is done before 1000 hours and on the assumption that public transport has resumed; and (b) those who are required and bound to attend duty during a cyclone warning Class III or IV should continue to do so.

18.5.83 Heads of Ministries/Departments are required to closely monitor the situation once a cyclone warning is in force in the country and to take appropriate action for the release of staff as soon as a cyclone warning Class III is issued during working hours. They should ensure that officers who travel by their own car or by public transport to attend duty and who reside furthest from their place of work should be released first, followed by officers who live in the vicinity of the office and lastly, those who stay within walking distance of their workplace.

Recommendation 13

18.5.84 We recommend that, after the lifting of a cyclone warning Class III or IV, and depending upon the time at which the official communiqué is issued by the Meteorological Services, officers should attend duty as soon as

the cyclone warning Class III or IV is officially lifted, provided this is done before 1000 hours, and on the assumption that public transport has resumed.

18.5.85 We also recommend that those who are required and bound to attend duty during a cyclone warning Class III or IV should continue to do so.

18.5.86 We further recommend that Heads of Ministries/Departments should closely monitor the situation once a cyclone warning is in force in the country and should take appropriate action to release their staff as soon as a cyclone warning Class III is officially issued during working hours.

18.5.87 We recommend that those officers who travel by their own car or by public transport to attend duty and who reside furthest from their place of work should be released first, followed by officers who live in the vicinity of the office and lastly, those who stay within walking distance of their workplace.

Payment of Overtime for Workers on Shift/Roster on officially declared cyclone days

18.5.88 At present workers on shift or roster, eligible for overtime, are remunerated at twice hourly rate for working on officially declared cyclone days. However, they are paid overtime at 1.5 times hourly rate from the time cyclone warning Class III or IV is removed up to the time the next scheduled officers take over.

Recommendation 14

18.5.89 We recommend that workers on shift or roster, eligible for overtime, who continue to work after a cyclone warning Class III or IV is removed and until they are relieved, should be paid overtime at twice the hourly rate.
