

CHAPTER 2

GENERAL PRINCIPLES

2.1 The present principles governing the payment for overtime in the civil service are broadly based on recommendations of the 1971 Salaries Commission. These principles may be summarised as follows :

- (a) Overtime worked should be compensated by time off in lieu, unless this is impracticable.
- (b) There is some salary point above which there is a fundamental incongruity with the receipt of cash allowances for overtime. Eligibility for cash allowances for overtime should be fixed by level of salary but the precise level should be adapted to suit the circumstances of each group of grades.
- (c) Occasional overtime must be strictly controlled, including advance authorisation, and should attract the standard rate of overtime allowance; regular overtime must also be strictly limited, controlled, authorised in advance, and compensated by an approved consolidated allowance at a rate less than that for occasional overtime; and control of overtime should include the discouragement of claims for small periods of overtime and their accumulation.

2.2 In our Consultative Document, views were sought on whether these principles should be retained or modified. The majority of respondents felt that the principles laid down by the 1971 Salaries Commission were still basically valid. We endorse this view and have therefore used these principles as the underlying philosophy of our reviews.

2.3 We are of the view that overtime should only be worked if it is unavoidable and that it should be limited to the minimum essential period. There should also be adequate control measures to ensure that the arrangements for payment of overtime allowances are not abused.

2.4 It has been represented to us by a few respondents that time off in lieu as compensation for overtime work is not appropriate. Furthermore, this practice is rarely found in the private sector. Whilst we acknowledge that the practicability of giving compensatory time off may in some circumstances be very limited, we nonetheless believe that it is generally an acceptable form of compensation for overtime work in the civil service. We accept however that where it is not practicable to grant the staff concerned

time off within a reasonable period of time, the staff should then be allowed to claim the appropriate allowance. We note that there are already provisions of this kind in the existing system.

2.5 At present the working of overtime and the payment of an allowance require the prior approval of the Head of Department or a responsible officer nominated by him personally. We consider that additional control measures are necessary. In the Consultative Document we suggested that authority to approve overtime should be exercised by a senior officer who is not himself eligible for overtime payment. The great majority of representations on this issue favoured the introduction of such a measure, and we so recommend.

2.6 It has also been suggested to us that there should be a minimum specified period during which overtime must be worked before payment should be effected. We endorse this view and recommend that a minimum of one hour of overtime on any occasion must be worked before staff can claim overtime allowance. Furthermore, overtime allowance should only be claimed on an hourly basis to discourage the accretion of short periods of overtime.