

CHAPTER 4

RELATED PAYMENTS

Stand-by Duty Allowance

4.1 "Stand-by" in the civil service is any period during which an officer is required to be present at his place of work outside his normal hours of duty but during which he is not necessarily required to perform any work. It is distinguished from "on call", which is any period during which an officer is required to be continuously available outside his normal hours of work, but not necessarily at his place of work. Whereas stand-by is treated as duty, on call is not. If stand-by duty is performed in excess of an officer's conditioned hours and time off is not practicable, he may at present be granted an allowance at the normal overtime rate. No allowance is paid for periods when an officer is on call. These arrangements apply to both disciplined and non-disciplined staff.

4.2 In the Consultative Document, we raised the question of whether the present arrangements for the payment of stand-by duty allowance were appropriate, and if not what changes would be desirable.

4.3 A number of respondents suggested that stand-by duty undertaken in excess of the conditioned hours should be compensated by the normal overtime allowance, and on call duty should also attract an allowance but at a lower rate.

4.4 As staff on stand-by are not normally on active duty for the whole period, we consider payment at the normal overtime rate to be over-generous. We recommend that the allowance for non-disciplined staff on stand-by duty should be at half the appropriate rate for overtime allowance or honoraria, and that for staff in the disciplined services should be at half the rate suggested for the proposed Disciplined Services Special Allowance. If an officer on stand-by is required to work, he should become eligible for the full overtime payment or Special Allowance from the time he starts actual work. We also recommend that payment of the stand-by duty allowance should be subject to the same rules of eligibility and conditions as are attached to the other forms of overtime payment.

4.5 We do not find the arguments for the payment of an allowance to staff on call convincing, and we do not recommend that the present arrangements should be changed.

### Shift Duty Allowance

4.6 In accordance with a recommendation in paragraph 38 of our First Report on Principles and Practices Governing Civil Service Pay (Report No. 1), shift work should be compensated by adjustments to the pay scale where the requirement to work shifts applies to 75% or more of the staff in the rank; individual officers in ranks which do not qualify for this adjustment who are required to work shifts are eligible for a shift duty allowance. The cut-off point for this allowance has traditionally been linked to the normal overtime cut-off point, i.e. MPS 23.

4.7 Shift duty allowance is calculated according to the number of "irregular hours" worked per calendar month. "Irregular hours" are duty hours between 8 p.m. and 6 a.m. on Mondays to Saturdays and any hours on Sundays and Public Holidays. There are two rates of the allowance : one for irregular hours of 25 to 49 a month and the other for 50 hours or more. The two rates are calculated on the basis of 6% and 12% of Point 1 of the Master Pay Scale respectively.

4.8 The comments in response to our Consultative Document generally focussed on the administrative rules governing the payment of shift duty allowance. A number of respondents considered that the cut-off point for eligibility should be at the same level as that for overtime allowance.

4.9 We can see no valid reason for continuing to link eligibility for shift duty allowance to that for overtime allowance. It is the practice to adjust salary scales of ranks with maxima up to MPS 37 if more than 75% of the staff in a rank are liable to work shifts, and we therefore recommend that eligibility for shift duty allowance should also be extended to staff on or below MPS 37. However, having regard to the nature of their duties and the level of their responsibilities we consider that the administrative and professional grades should not be eligible for this allowance.

4.10 We have reservations about the appropriateness of the existing basis of calculation of this allowance. While we do not propose any change at present, we intend to give further consideration to this issue.

### Typhoon Allowance

4.11 In general, eligibility for typhoon allowance is the same as for overtime allowance, and the rate of allowance is the same as for overtime allowance. Eligible staff who are required to be on duty during a tropical cyclone when other staff are allowed to go home may receive typhoon allowance. In addition such staff may claim overtime allowance

if their duty during a tropical cyclone involves them working more than their conditioned hours. The information available to us indicates that the same practice is generally followed in the private sector.

4.12 A number of the representations we have received favoured the extension of typhoon allowance to all staff on the Master Pay Scale. It was also suggested that the disciplined services should also be eligible for typhoon allowance.

4.13 We take the view that the principle on which eligibility for typhoon allowance should be based is that officers experience hardship and possible danger because of the specific requirement to stay on or report for duty at a time when most staff are allowed to go home. Whether or not an officer works more than his conditioned hours is not strictly relevant. We therefore see no reason to maintain the traditional linkage with eligibility for overtime. We consider that eligibility should be extended to middle level staff and we therefore recommend that staff on or below MPS 37 should be eligible for typhoon allowance. Having regard to the nature of their duties and their level of responsibilities, officers in the administrative and professional grades should not be eligible, nor should the disciplined services. We also recommend that the rate of typhoon allowance should be maintained at its present level.