



29 July 2021

Circular E.L. 02/2021 - Overtime for Clerical / Administrative and Analogous Grades in the Local Authority Sector

A Dhuine Uasail,

I am directed by the Minister for Housing, Local Government & Heritage to say that the following arrangements will apply in relation to the payment of overtime for Clerical and Administrative Grades in the Local Authority Sector:

To: HR Managers in each local authority

Circulars Revoked: This Circular revokes Circular EL 1/89

Effective From: 1 July 2021

Who is not covered by this policy?

The policy does not cover employees at Senior Executive Officer (and analogous) and above as there is no provision for payment of overtime to these grades.

Part 1: Purpose and Principles

1.1 Purpose

The purpose of this circular is to set out the arrangements for overtime payments/time off in lieu for clerical administrative and analogous grades working a normal Monday to Friday working week. The overtime arrangements contained herein reflect the revisions agreed in Building Momentum – A New Public Service Pay Agreement and come into effect on 1 July 2021.

1.2 General Principles

Overtime is the payment given to an employee for extra attendance outside of the standard working week. It is only payable after the completion of the required working hours for the grade in question. In addition, Local Authorities should be satisfied that the amount or nature of the work to be done makes overtime unavoidable. Attendance on Saturdays, Sundays and Public Holidays should be kept to a minimum. Overtime must be authorised by a more senior employee ranking at least two grades higher than the employee giving extra attendance and/or a designated employee with authority to do so.

As provided in the Haddington Road Agreement the normal working week is 37 hours worked over five days between Monday and Friday each week. With regard to authorised extra attendance during the normal (Monday to Friday) working week the overtime arrangements described below will apply for overtime hours worked in excess of 37 net hours. Where staff have opted to remain on their pre-existing Haddington Road hours with appropriate pay adjustments, the overtime arrangements described below will apply for overtime hours worked in excess of these pre-existing Haddington Road hours.

Where operable the granting of time off in lieu instead of overtime shall be at the discretion of the Head of the Department concerned, having regard to the exigencies of the service. Time off in lieu shall not be allowed in any case where it would give rise to additional overtime working.

2. Overtime for Clerical Admin Grades 3-5 and analogous grades - The following rates apply Monday to Friday normal finishing time to midnight:

First 3 hours – Rate plus one-quarter or time off in lieu at flat rate

Next 5 hours – Rate plus one-half or time off in lieu at flat rate

Thereafter – Double rate or time off in lieu at flat rate

Monday to Friday - Midnight to normal starting time - Overtime at double time or time off in lieu at flat rate

Midnight Friday to normal starting time Saturday - Overtime at double time or time off in lieu at flat rate

Normal starting time Saturday for first four hours - Overtime at time plus one half or time off in lieu at flat rate

Saturday after first four hours to midnight - Overtime at double time or time off in lieu at rate of time plus one half

Midnight Sunday to normal starting time Monday - Overtime at double time or time off in lieu at rate of time plus one half

Sundays and Public Holidays

Overtime shall be paid at a rate of double time on Sundays and Public Holidays or time off in lieu at rate of time plus one half. Good Friday is not a public holiday.

3. Overtime for Clerical Admin Grade 6 & 7 and analogous grades - The following rates apply Monday to Friday normal finishing time to midnight *:

First hour – No payment nor time off in lieu

Next 2 hours – Rate plus one-quarter or time off in lieu at flat rate

Next 5 hours – Rate plus one-half or time off in lieu at flat rate

Thereafter – Double rate or time off in lieu at flat rate

Monday to Friday - Midnight to normal starting time - Overtime at double time or time off in lieu at flat rate

Midnight Friday to normal starting time Saturday - Overtime at double time or time off in lieu at flat rate

Normal starting time Saturday for first four hours - Overtime at time plus one half or time off in lieu at flat rate

Saturday after first four hours to midnight - Overtime at double time or time off in lieu at rate of time plus one half

Midnight Sunday to normal starting time Monday - Overtime at double time or time off in lieu at rate of time plus one half

Sundays and Public Holidays

Overtime shall be paid at a rate of double time on Sundays and Public Holidays or time off in lieu at rate of time plus one half. Good Friday is not a public holiday.

***NB: Employees who are at Grade VI and analogous and Grade VII and analogous cannot be paid overtime at a rate higher than the maximum point of the Grade V scale (2nd LSI).**

In all circumstances where arrangements are in place for time off in lieu it must be:

1. Approved in advance.
2. A record in writing of all time of in lieu accrued must be kept.
3. Ideally time off in lieu should be used within the month in which it is accrued. For business reasons this may be extended to a maximum of three months. In exceptional circumstances a further extension to six months may be considered, however this must be signed off at senior Manager level. Any time off in lieu not taken within six months will be forfeited. Where there are existing balances of time off in lieu a period of time should be allowed to apply the above.

4 Work-Sharing Staff

Staff who are work-sharing should be treated in the same way as full-time staff in allocating overtime. Within the confines of these arrangements, the management of overtime will remain at the discretion of each Department/Office subject to approval of relevant Director of Service or nominated employee.

In this connection, the “overtime week” for the purpose of aggregating hours of extra attendance in order to determine the appropriate rate of payment, begins on a Monday. Thus, work-sharing staff following a week-on/week-off or a half day on/half day off attendance regime are treated the same as full-time staff. However, overtime calculations in respect of a work-sharing employee with a split week attendance regime (e.g. Wednesday to the following Tuesday, both days inclusive) would be based on a two-week period. Where the pay cycle is different e.g. Thursday to Wednesday, the application as set out above will continue to apply.

5. **Paid Meal Breaks and Minimum Rest Periods**

A paid meal break should be allowed to staff giving extra attendance on the basis of fifteen minutes per hour of extra attendance, subject to a maximum paid break of half an hour on any one day. Local Authorities must also ensure that the timing of such breaks comply with Section 12 of the Organisation of Working Time Act, 1997 which deals with minimum rest breaks during work.

Mise, le meas,



Mary Turner
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Local Government HR