



MINISTER FOR EMPLOYMENT, TRAINING AND INDUSTRIAL RELATIONS

DIRECTIVE No. 20/99
July 1999

- 1. TITLE:** Overtime Meal Allowances
- 2. PURPOSE:** To prescribe the meal allowances payable to officers and employees specified in this directive when required to work overtime.
- 3. LEGISLATIVE PROVISION:** Section 34(2) of the *Public Service Act 1996*.
- 4. APPLICATION:** This directive applies to-
- public service officers; and
 - temporary employees engaged under section 113(2)(a) of the *Public Service Act 1996*.
- This directive does not apply to –
- general employees engaged under section 112(2)(a) of the *Public Service Act 1996*; or
 - employees engaged on a casual basis under sections 112(2)(b) and 113(2)(b) of the *Public Service Act 1996*.
- 5. STANDARD:** The amounts and entitlements prescribed in the Schedule apply.
- 6. EFFECTIVE DATE:** This directive is to operate from **1 July 1999**.
- 7. VARIATION:** The provisions in the Schedule may be varied in accordance with certified agreements made under Chapter 6, Part 1 of the *Industrial Relations Act 1999* or decisions of an industrial tribunal of competent jurisdiction.
- 8. INCONSISTENCY:** Sections 34 and 117 of the *Public Service Act 1996* and section 687 of the *Industrial Relations Act 1999* apply if there is a conflict with an act, regulation or industrial instrument.
- 9. SUPERSEDES:** Directive 10/97 "Overtime Meal Allowance".
- 10. PREVIOUS REFERENCES:** Sections 63 and 65 of the *Public Service Management and Employment Regulation 1988*
Determination No. 3
Circular letters 2/92, 6/91, 2/90, 7/88, 6/87
Administrative Instructions No 1 | 73.

SCHEDULE

OVERTIME MEAL ALLOWANCES

GENERAL CONDITIONS											
<p>Entitlement A public service officer or temporary employee engaged under section 113(2)(a) of the <i>Public Service Act 1996</i> (referred to as "employee" in this schedule) required to work overtime shall be paid meal allowances as provided for in this schedule. This allowance shall be additional to any compensation received for overtime worked.</p> <p>Meal break In the interests of health and efficiency, an employee should not be required to work more than 3 hours overtime on any day unless special circumstances exist. A meal break of 45 minutes should be taken for each such period of overtime.</p> <p>Provision of meal in lieu A meal of reasonable quality and adequate quantity may be supplied to the employee in lieu of the payment of a meal allowance.</p>	<p>Time limit on claim Without the approval of the chief executive, a claim will not be paid unless it is submitted within 12 months –</p> <ul style="list-style-type: none"> • of the date of completion of the work, or • the incurring of the expense, or • the conclusion of the circumstances leading to the claim. <p>Definitions "full overtime shift" means the hours an employee is required to work on an ordinary day (eg. clerical administrative officer 73 hours, field staff 8 hours).</p> <p>"ordinary starting and ceasing time" means the starting and ceasing time authorised for an employee within the normal operating hours on any one day as determined by the chief executive of a department or work unit.</p>										
OVERTIME MEAL ALLOWANCES											
CATEGORY	AMOUNT										
<p>In addition to any compensation received for overtime an employee shall be paid a meal allowance as follows -</p> <p>(a) Monday to Friday Where an employee is required to -</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 40px;">Work for more than one hour before or after his or her "ordinary starting or ceasing time"; or</td> <td style="text-align: right; vertical-align: top;">\$10.00</td> </tr> <tr> <td style="padding-left: 40px;">Continue or resume duty for more than one hour after the employee's "ordinary ceasing time" and cannot reasonably be expected to return to his or her residence for a meal, and has an unpaid meal break of at least 45 minutes before the completion of overtime.</td> <td style="text-align: right; vertical-align: top;">\$21.00</td> </tr> </table> <p>(b) Weekends or any holiday Where an employee is required to -</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 40px;">Work overtime for more than four hours;</td> <td style="text-align: right; vertical-align: top;">\$10.00</td> </tr> <tr> <td style="padding-left: 40px;">Continue or resume duty for more than one hour after completing four hours overtime, and cannot reasonably be expected to return to his or her residence for a meal, and has an unpaid meal break of at least 45 minutes prior to continuing overtime;</td> <td style="text-align: right; vertical-align: top;">\$21.00</td> </tr> <tr> <td style="padding-left: 40px;">Continues or resumes duty for more than one hour after completing a "full overtime shift" and cannot reasonably be expected to return to his or her residence for a meal, and has an unpaid meal break of at least 45 minutes before the completion of overtime.</td> <td style="text-align: right; vertical-align: top;">\$21.00</td> </tr> </table>		Work for more than one hour before or after his or her "ordinary starting or ceasing time"; or	\$10.00	Continue or resume duty for more than one hour after the employee's "ordinary ceasing time" and cannot reasonably be expected to return to his or her residence for a meal, and has an unpaid meal break of at least 45 minutes before the completion of overtime.	\$21.00	Work overtime for more than four hours;	\$10.00	Continue or resume duty for more than one hour after completing four hours overtime, and cannot reasonably be expected to return to his or her residence for a meal, and has an unpaid meal break of at least 45 minutes prior to continuing overtime;	\$21.00	Continues or resumes duty for more than one hour after completing a "full overtime shift" and cannot reasonably be expected to return to his or her residence for a meal, and has an unpaid meal break of at least 45 minutes before the completion of overtime.	\$21.00
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