

## Overtime Meal Allowance

- 1. PURPOSE:** To prescribe the minimum meal allowances payable when required to work overtime.
- 2. APPLICATION:** This directive applies to Public Service Officers and Temporary Employees under section 113 of the *Public Service Act 1996*.
- 3. MINIMUM STANDARDS:** The prescribed amounts and entitlements set out in the Schedule(s) are the minimum standards to apply.
- 4. OPERATIVE DATE:** This Directive is to operate from 5 July 1997.
- 5. VARIATION:** The provisions in the Schedule(s) may be varied by an agreement made under Chapter 2, Part 1, of the *Workplace Relations Act 1997*.
- 6. ENHANCEMENT:** A Chief Executive may enhance an amount or entitlement prescribed in the Schedule(s) but may not extend the application of existing or enhanced entitlements to classes of employees not contained in the Application clause.
- 7. INCONSISTENCY:** Sections 34 and 117 of the *Public Service Act 1996* and Section 464 of the *Workplace Relations Act 1997* apply if there is a conflict with another instrument:
  - (a) Inconsistency Between Directive And Another Act**  
If there is an inconsistency between the *Public Service Act 1996* or another Act or subordinate legislation under either Act and this Directive, the Act or subordinate legislation will prevail over the Directive to the extent of the inconsistency.
  - (b) Inconsistency Between Directive And Agreement**  
If there is an inconsistency between an Agreement made under Chapter 2, Part 1, of the *Workplace Relations Act 1997* and this Directive, the Agreement will prevail over the Directive to the extent of the inconsistency.
  - (c) Inconsistency Between Directive And Award Or Industrial Agreement**  
If there is an inconsistency between this Directive and an Award or Industrial Agreement, the Directive will prevail over the Award or Industrial Agreement to the extent of the inconsistency.
- 8. SUPERSEDES:** ss.63, 65 *Public Service Management and Employment Regulation 1988* Determination No.3

**SCHEDULE**

**OVERTIME MEAL ALLOWANCE**

<b>GENERAL CONDITIONS</b>	
<p><b>Entitlement</b> A Public Service Officer or Temporary Employee under section 113 of the <i>Public Service Act 1996</i> (hereafter "officer") required to work overtime shall be paid meal allowances, which shall be additional to any compensation received for overtime worked, as provided in this Schedule.</p> <p><b>Meal Break</b> In the interests of health and efficiency, officers should not be required to work more than 3 hours overtime on any day unless special circumstances exist and a 45 minute meal break should be taken in respect of each such period of overtime.</p> <p><b>Provision Of Meal In Lieu</b> A meal of reasonable quality and adequate quantity may be supplied to the officer in lieu of the payment of a meal allowance.</p>	<p><b>Time Limit On Claims</b> A claim made shall not, without the approval of the Chief Executive, be considered for payment unless it is submitted within 12 months from the date of completion of the work, the incurring of the expense, or the conclusion of the circumstances in respect of which the claim is submitted.</p> <p><b>Definitions</b> "full overtime shift" shall mean the hours an officer is required to work on an ordinary day (eg. clerical administrative officer 7¼ hours, field staff 8 hours).  "ordinary starting and ceasing time" shall mean the starting and ceasing time authorised for an officer within the normal operating hours on any one day as determined by the Chief Executive for a Department or work unit.</p>
<b>OVERTIME MEAL ALLOWANCE</b>	
<b>CATEGORY</b>	<b>AMOUNT</b>
<p><b>An officer shall, in addition to any compensation received for overtime, be paid a meal allowance in respect of the following situations -</b></p>	
<p><b>(a) Monday to Friday</b> Where an officer is required to -</p> <p style="padding-left: 40px;">work for more than one hour before or after the officer's "ordinary starting or ceasing time"; OR continue or resume duty for more than one hour after the officer's "ordinary ceasing time" and cannot reasonably be expected to return to the officer's residence for a meal and has an unpaid meal break of at least 45 minutes before the completion of overtime.</p>	<p>\$10.00</p> <p>\$21.00</p>
<p><b>(b) Weekends or any Holiday</b> Where an officer is required to -</p> <p style="padding-left: 40px;">work overtime for more than four hours; OR continue or resume duty for more than one hour after completing four hours overtime and cannot reasonably be expected to return to the officer's residence for a meal and has an unpaid meal break of at least 45 minutes prior to continuing overtime; AND continues or resumes duty for more than one hour after completing a "full overtime shift" and cannot reasonably be expected to return to the officer's residence for a meal and has an unpaid meal break of at least 45 minutes before the completion of overtime.</p>	<p>\$10.00</p> <p>\$21.00</p> <p>\$21.00</p>