

# POLICY

PPMF | TAFESA | 1075

## Title

Variation in Hours Policy

## Contact Officer

Position

A/Director, Human Resources and Organisational Development

Phone

(08) 8648 8752

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TAFE SA Policies are issued under the TAFE SA Policy Management Framework. They are binding on all TAFE SA employees.

## 1 Policy

This policy provides direction to TAFE SA staff and managers for the appropriate management of increasing and decreasing an employee's hours. This policy is to be read in conjunction with the relevant employment legislation, Awards and Enterprise Agreements as listed in section 5 below.

## 2 Scope

To provide guidance for the consideration of variations in hours for Public Sector employees in line with relevant Industrial instruments and the processing of relevant forms for implementation.

## 3 Definitions

Delegate	The responsible authorised officer as identified in the approved HR Instrument of Delegations.
Hours Of Duty PS Act	Normal working hours for full-time employees must be an average of 37.5 hours per week, to be worked on each day (Monday to Friday inclusive) between the hours of 8.00 am to 6.00 pm.  A part-time employee must be engaged for a minimum shift period of three hours, unless otherwise agreed between the delegate and the employee
Hours of Duty TAFE Act	The normal hours of duty are 35 hours per week.
Hours of Duty Weekly Paid	The normal hours of duty are 38 hours per week.

## 4 Related policies and procedures

PPMF TAFESA 1004	<a href="#">Voluntary Flexible Working Arrangements Policy</a>
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## 5 References

<a href="#">Public Sector Regulations 2010</a>
<a href="#">South Australian Modern Public Sector Enterprise Agreement: Salaried 2017</a>
<a href="#">TAFE (Educational Staff) Interim Award</a>
<a href="#">Commissioner's Determinations 3.1 Employment Conditions – Hours of Work, Overtime and Leave</a>
<a href="#">Public Sector Act 2009</a>
<a href="#">SA Public Sector Wage Parity Enterprise Agreement: Weekly Paid 2017</a>

## 6 Variation in Hours

Increases and decreases in working hours may be negotiated for specific periods of time either on an ad hoc basis/short-term basis/long term basis or in an ongoing capacity to undertake additional workloads or

to allow employees to better balance their work, personal life and family commitments in line with the business needs of a workgroup.

There are specific entitlements and provisions for employees returning to the work place from maternity and adoption leave on a part time basis which should be considered alongside this policy:

- [13.5 SA Modern Public Sector Enterprise Agreement Salaried 2017](#).
- 4.7 TAFE SA Educational Staff Enterprise Agreement 2016
- 49.10 South Australian Public Sector Wages Parity Enterprise Agreement Weekly Paid 2017
- 12.3 South Australian Public Sector Wages Parity EA – Plumbing, Metal & Building Trades

Additional hours must not be confused with a Section 46 PS Act Additional Duties Allowance. All increases and decreases in hours need to be approved by a delegate on a Variation in Hours form (HRB 9).

Note: A variation in hours is a voluntary arrangement between both parties and cannot be enforced.

### **6.1 Increasing Hours**

Due to organisational needs and work commitments managers may request an employee who works on a part time basis to increase their hours to manage additional workloads. Managers must ensure employees are aware that short-term additional hours will increase their leave entitlements and effective service provisions.

It is the Line Manager's responsibility to ensure that when considering an increase in hours that it correlates with the approved FTE structure of the workgroup and approved budget for the relevant financial year.

In instances where there is an arrangement in place for a longer period, this should not exceed two years. In doing so, it may be deemed by the employee that the increase in hours becomes their substantive hours of engagement.

Note: Increases in hours are not to be claimed as Flexi or overtime unless the employee has worked in excess of 8 hours per day (PS Act).

### **6.2 Decreasing Hours**

A temporary or ongoing decrease in an employee's substantive hours may be negotiated with the Line Manager in line with business requirements. The need to decrease hours may be as a result of worklife balance, illness, etc in line with the TAFE SA Voluntary Flexible Working Arrangements Policy.

In instances where there is an arrangement in place for a longer period, this should not exceed two years. In doing so, it may be deemed by the employer that the decrease in hours becomes their substantive hours of engagement.

### **6.3 Processing of HRB9 – Variation in Hours**

The TAFE SA [HRB9](#) Variation in Hours form is to be used to facilitate both increases and decrease in hours.

The [HR Delegation](#) for approval sits at Level 5 or above and should be managed within the workgroup.

Once the HRB9 Variation in Hours form is completed, it is the responsibility of the delegate to forward the signed HRB9 Form to Shared Services [tafepayrolldoc@sa.gov.au](mailto:tafepayrolldoc@sa.gov.au) for processing within the scheduled

Shared Services pay deadlines. The Human Resources Advisor/Business Partner must be cc into the email to Shared Services for the purpose of records management.

## **7 Responsibilities**

### **7.1 Executives, Directors, Senior Managers / Managers**

It is the responsibility of Executives, Directors, Senior Managers and Managers to:

- ensure compliance with the requirements of this policy
- are responsible in providing four (4) weeks notice to the employee for any temporary amendment to their working hours due to business needs
- ensure that HRB9 Variation in Hours forms are in place and managed where required by this policy
- ensure that HRB9 Variation in Hours forms are processed within the Shared Service pay cut off deadlines to mitigate any over or under payments.

### **7.2 Employees**

TAFE SA employees are to provide four (4) weeks notice for any temporary amendment to work hours. Compassionate cases requiring less than 4 weeks notice will be managed by the Line Manager on a case by case basis.

## **8 Review of TAFE SA Policy**

TAFE SA policies must undertake a full review process, including staff consultation and TAFE SA Executive/Board approval, at least every two years, but may be actioned earlier according to strategic priorities, reforms or feedback received.