



## **Time Off in Lieu - Manager**

### **Rationale**

Managers, supervisors, and those employed in a confidential capacity are exempt from overtime requirements set out in Alberta's *Employment Standards Code* by virtue of s. 2(1) of the *Employment Standards Regulation*, as amended.

While SAMU does not pay the above-listed employees overtime, it offers Time Off in Lieu "TOIL" as a benefit to staff working in such overtime-exempt positions. Where managers or supervisors work in excess of 35 hours per week, those additional hours may be banked and used for time off with pay, subject to the terms of this Directive, as set out below.

### **Definitions**

**Banked hours** refer to time worked in excess of 35 hours per week, which may be used in exchange for time off in lieu, in accordance with the terms of this Directive.

**Flex their day** refers to an employee adjusting their regular start/end hours to accommodate a SAMU business need that happens outside their normal office hours.

**Staff Member** refers to SAMU staff working in a managerial, supervisory, or confidential capacity only. E.g., of confidential capacity employees are Accountants and Advisor positions.

**TOIL** refers to Time Off In Lieu, for hours worked beyond 35 hours per week

### **Regulations**

- 1 Hours worked by a SAMU staff in excess of 35 hours per week may be banked at a rate of 1 (one) banked hour for each 1 (one) hour worked, to be used in exchange for time off with pay.
- 2 TOIL will only be accumulated when required for SAMU business purposes.
- 3 TOIL will only be accumulated when a staff member is unable to flex their day to SAMU business requirements.
- 4 TOIL can be banked in increments of a minimum of 15 minutes
- 5 Any hours worked in excess of 35 hours must be pre-approved in writing by a direct supervisor in order to qualify as TOIL.
- 6 TOIL must be taken within 3 months (90 days) of being earned, unless the staff member's Director grants an extension in writing. Failure to use the TOIL in exchange for time off or to obtain an extension within this time period will result in the banked hours being forfeited.
- 7 Accumulation of TOIL should not exceed 35 hours (5 workdays) at any time, to a maximum of 70 hours per fiscal year (10 workdays).



- 8** The supervisor is responsible for monitoring the levels of TOIL and ensuring that accumulations are in accordance with #5.
- 9** Any unused banked hours are automatically forfeited upon resignation or upon being provided with notice of termination or pay in lieu of notice.
- 10** TOIL can only be used for time off and under no circumstances will SAMU pay out for unused banked hours.
- 11** Staff requests for time off using TOIL will be granted at the discretion of the supervisor taking into consideration operational requirements.
- 12** When TOIL is banked, the time must be reported accordingly in SAMU's HR software with reason/task being completed requiring the time.
  - 12.1** When TOIL is used, the time must be reported accordingly in SAMU's HR software using the Time-Off function.



**Fact Sheet**

**Approvals:**

First Approval – July 9, 2024

Last Approval –

**Date of Last Review:**

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July 9, 2024: *Time Off in Lieu – Manager* Directive approved by Directives Group motion 2024-07-09-7.

**Related Documents:**