



# AFPA

## AFP CA IMPLEMENTATION UPDATE 5.1

27<sup>th</sup> April 2007 – FOR IMMEDIATE DISTRIBUTION

### Federal Operations: Safety Net Penalties

The AFP CA 2007 – 2011 is not significantly changed from the agreement that it replaced other than by providing new penalty and overtime provisions and a longer reconciliation period.

With a focus on work pattern and the inclusion of penalty rates and overtime hours, the AFP CA 2007 – 2011 contains many provisions which safeguard your work/life balance.

#### HOURLY LIMITS – Double Time Overtime Payment

Section 20.2.4 a) “employees will not be required to work in excess of;

- i) 16 hours in over any 24 hour period
- ii) 60 hours over any 7 day period; and
- iii) 200 hours over any 28-day period...

b)...Where hourly limits are exceeded an employee will be paid the overtime rate for every hour in excess of the relevant limit. These hours will not count towards hours worked.”

These Hours can be exceeded in an emergency or where operational continuity is essential.

#### I worked 17 hours of duty. What happens?

The first 16 hours of your duty accrue at single time towards your quarterly requirement of 520 hours. The 17<sup>th</sup> hour is paid at the overtime rate but does not count towards the 520 quarter.

#### I worked 8 hour duties on Monday and Tuesday. For operational reasons I was required to work three 16 hour duties Wednesday to Friday. This breaches 60 hours in 7 days. What happens?

You have worked 64 hours. 60 hours accrue to your quarterly acquittal, and 4 hours are paid at the double time overtime rate. These additional 4 hours do not accrue to your quarterly acquittal.

#### I worked 8 hour duties on Monday and Tuesday. For operational reasons I was required to work three 16 hour duties Wednesday to Friday and Wednesday was a public holiday. This breaches 60 hours in 7 days. What happens?

You have accrued a total of sixteen hours on Monday and Tuesday. Wednesday is a public holiday and it is calculated at double time hours, so you accrue 32 hours on Wednesday. On Thursday and Friday you accrue 16 hours each. This brings your weekly total to 80 hours.

However your actual hours of work for that week are 64 hours. This is a breach of the 60 hours in any 7 day period provision of the CA. Therefore, 4 hours are paid at the double time overtime rate. The double time overtime is paid in that pay period and therefore cannot be counted towards your quarterly acquittal. Your 80 hours accrued is reduced by 4 hours, leaving 76 hours to count towards your quarterly acquittal of 520.

**If you have any concerns about the issues raised in this bulletin or other CA 2007- 2001 queries please contact your local representatives or the AFPA National Office on [afpa.industrial@afpa.org.au](mailto:afpa.industrial@afpa.org.au) for more information.**