



# AFPA

## AFP CA IMPLEMENTATION UPDATE 5.2

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

## Federal Operations: Mandatory Minimum Rest Periods

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 the work/life balance.

### **MANDATORY MINIMUM REST PERIODS – Penalty Provision of Double Time Hours**

Section 20.2.4 d) “employees will receive a minimum rest break;

- i) for any period of duty in excess of eight (8) hours duration but less than or equal to 16 hours durations, a mandatory minimum rest period of eleven hours will apply;
- ii) for any period of duty in excess of sixteen (16) hours duration, a mandatory minimum rest period of sixteen (16) hours will apply.

e) where it is operationally necessary for an employee to return to work prior to the completion of the mandatory rest period... double time hours will count towards the total hours in the three month averaging period until the mandatory rest period is taken,”

### **I was required to work fourteen (14) hours that ended at 0000. I am required to return to work at 0800. What happens?**

If you are operationally required to return to work, you have not completed your mandatory minimum rest period of 11 hours. You then accrue double time hours towards your quarterly acquittal until you have an 11 hour break.

If you are not operationally required to return to work at 0800 you remain home until you have completed your 11 hour mandatory minimum rest period. You would not return to work until 1100.

**The hours between 0800 and 1100 will be deemed to have been worked.**

There will be misunderstanding in relation to the new penalty and overtime provisions. They are legally enforceable. The AFP corporately has agreed to these provisions. The provisions have been designed to reduce excessive hours and unreasonable 24/7 demands being placed on operations employees.

To help avoid disputes we recommend that you advise your team leader of your entitlements at the time he/she requests you to perform such duties and not after the duty has been done, so he/she has a clear understanding of the impact of the request.

**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.**