

# Working Hours and Commitments Policy

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## 1. Hours of work

### Academic, Research and Academic-Related Staff

No set hours apply. The hours are those necessary for the performance of the duties having regard to the normal office hours set by the Council and the Head of Unit, shift working and other operational demands.

For Central Academic staff, at least 20% of their time is set aside for research over and above study leave and up to 80% of their time for course preparation and administration, in agreement with the Head of Unit. Full details can be found in the Terms and Conditions of Service – Academic Staff Group.

Academic Related staff who undertake regular out of hours work are eligible for an out of hours allowance. Details are available on the People Services Intranet.

### Associate Lecturer Staff

The hours of work will be based (pro-rata) on the University's full time equivalent (FTE) of 37 hours per week. Save in relation to scheduled tutorials, marking periods and student needs, Associate Lecturers are entitled to allocate their working hours as required to fit in with their other commitments and as such there are no fixed working times. ALs' weekly hours are likely to have peaks and troughs, and their FTE relates to their expected average weekly hours over 12 months.

Working hours are expected to be maintained within the requirements of the Working Time Directive which applies to the total hours of all work that the employee undertakes, including any work outside of the University.

### Support Staff

Full-time staff are contracted to work 37 hours a week (excluding lunch breaks).

Employees have a personal responsibility for working their contracted hours each week. Employees who arrive late will normally be required to make the time up at the discretion of the Head of Unit or their delegate.

A minimum of 30 minutes lunch break must be taken by full-time and part-time staff after a maximum of five hours worked. In certain circumstances, consideration will be given to requests to work a maximum of 6 hours before taking a break of no less than 20 minutes.

The daily working pattern is determined by the Head of Unit in order to meet the University's operational and service needs and having regard to relevant working considerations (e.g. supervisory, security, team working, technical, etc) and the principles set out in this policy.

Each member of staff must have a regular, agreed and recorded pattern of working hours.

Regular work patterns will fall between the University's service hours of 8am to 10pm Monday to Saturday and 9am to 1pm on Sunday. However, for appointments which commenced before 1<sup>st</sup> April 1997, regular work patterns will either fall within the hours 8.30am to 6pm Monday to Thursday and 8.30am to 5.30pm on Friday, or follow another regular pattern outside these hours which exists in the Unit or area.

Agreed hours may be subject to periodic review and the Head of Unit may give notice of reasonable changes to hours (including reasonable requests to vary hours in exceptional circumstances at short notice in order to provide cover in particular circumstances) where operational needs require this.

For appointments which commenced before 1 April 1997, any change outside the service hours will be by mutual agreement.

Heads of Units will consider requests from staff to work particular hours having regard to the considerations above and to personal circumstances of the member of staff (e.g. travel or domestic arrangements).

For further details on hours of work for Support Staff, see the relevant Terms and Conditions of Service.

## **2. Overtime**

### **Academic-Related Staff** (up to and including grade 8):

There is no provision for occasional overtime to be remunerated, except that:

- Work undertaken on closure days/bank holidays will be compensated. Additional and equivalent time off will be given to staff receiving this compensation.
- Individuals may qualify for out-of-hours payments where the Head of Unit determines that operational needs require this. Individuals in receipt of payments relating to any On-Call Scheme do not qualify for these out-of hours payments.
- The Scheme is not intended to cover occasional weekend working such as attendance at degree ceremonies, committee meetings or day schools.

Please note that staff at grade 9 or above do not receive compensation for such overtime.

### **The scheme**

Heads of Units may authorise payments when the following three conditions are met:

- The Head of Unit determines that operational needs demand qualifying staff to work a schedule involving a significant number of additional hours either in the late evening or at the weekend;
- The additional hours worked are frequent and excessive in relation to the normal expected duties of the post holder;
- The University is not providing meals to the staff concerned.

Information on payment rates (which are taxable but non-superannuable) can be found on the People Services Intranet.

(Under the Travel and Subsistence Scheme, claims for travelling on additional journeys between home and work may be submitted, but note that these are taxable).

Payment is not intended as a substitute for time off in lieu, but Heads of Units should take into account any such payments when exercising their discretion under existing University policy with regard to the time-off-in-lieu.

Authorisations should be sent to the Staff Payments Manager.

### **Academic and Research Staff and Academic-Related Staff** (all grades)

Academic, Research and Academic-Related staff may qualify for time off in lieu where required to work and/or travel at weekends or evenings or at times generally regarded as unsociable or inconvenient, subject to the prior approval of their Head of Unit.

Exceptionally, compensating payments may be made to specific groups of staff whose attendance at the University outside normally expected hours is scheduled, frequent and significant.

### **Associate Lecturer Staff**

Overtime payments will not be made where normal working hours are exceeded for any reason whilst carrying out the main duties in the work plan. Where normal working hours are exceeded on a regular basis, Associate Lecturers should discuss this with their line manager.

### **Support Staff**

For full-time and part-time staff, the overtime rates set out below apply to hours worked in excess of 37 hours a week.

No overtime can be worked or compensated unless previously requested and authorised by local management. This applies whether or not an employee has 'volunteered' to work overtime.

Approved overtime will be remunerated as follows, subject to a minimum of one completed hour of overtime:

- Monday – Saturday at time and a half
- Sunday / Bank Holidays at double time

- Christmas closure period at double time
- Call outs between 12 midnight and 6.00am at double time. A guaranteed 3 hours payment will apply to all call outs (except where other arrangements apply).

Employees asked to work overtime may have an option to be compensated by time off in lieu at equivalent rates to those specified for payment above. However, local management has the right in certain circumstances to request that overtime is compensated exclusively by payment. If this is declined by the individual, the University may withdraw its request for the overtime working and make alternative arrangements. Agreement to meet the wishes of individuals will not be unnecessarily withheld by management and explanations for declining to meet individual's wishes, as to the form of compensation, will be provided.

Monthly Overtime Return forms, available from Staff Payments, should be completed by local managers and signed by the Head of Unit (or appointed deputy) on the first working day of each month following that to which the Return applies. The form should be sent direct to Staff Payments by no later than the third working day of the month. Failure to do this may delay payment until the following month.

### **Day Schools and Degree Ceremonies**

The above overtime provisions apply to the work undertaken at Day Schools and Degree Ceremonies.

### **Residential Schools**

The residential schools payment structure is available in the Manual of Office Procedures for Residential Schools.

### **Travel and subsistence payments when overtime is worked**

#### **Overtime worked at the normal place of work**

Members of staff will not normally be eligible for travel and subsistence payments. Exceptionally, if additional journeys are made or if the actual costs of travel from home to office exceed those of a normal working day, the University will reimburse the difference based on the appropriate rates. Members of staff required by their Head of Unit to work or make an additional journey on what is normally a non-working day, are entitled to claim for the additional mileage at the appropriate rate.

#### **Overtime worked at a location other than the normal place of work**

Members of staff travelling from home to a location other than the normal place of work are eligible for payments at appropriate rates.

Details of the rates can be found in the Travel Rates document on the People Services Intranet.

Support staff undertaking overtime on a weekday outside their contracted hours, at a location other than their normal place of work, may be compensated either by payment or time off in lieu (both at plain time). This only applies where travel time exceeds one hour by the most direct route. Where an individual is being compensated

by payment, this should be included in the overtime calculation. In cases where travel is overnight, there is a cut-off point at 10pm. There is no payment for an overnight stay.

### **3. Training activities**

Principles of payment for time spent on approved training activities outside contracted hours:

#### **Monday to Friday attendance**

Attendance on approved training courses which are a requirement of the job (i.e. selection skills, technical skills training, CDSA, and other training which is directly job related and approved by the Head of Unit) will be compensated as follows:

#### **Full Time Staff**

Time and a half, or time off in lieu (T.O.I.L.) at time and a half (actual option to be agreed in advance) after contracted hours, subject to a minimum of one completed hour.

#### **Part-Time Staff**

Subject to a minimum of one completed hour, plain time or T.O.I.L. at plain time, for hours in excess of contracted hours up to 37 hours a week, time and a half, or time off in lieu at time and a half, for hours in excess of 37. (The option of payment or T.O.I.L. to be agreed in advance.)

### **4. Shift working**

Consultation with individuals and unions will take place if shift working is to be incorporated into an existing or new role. If this is agreed, then the details of the shift working will be included in the individual's contract. Shift work patterns are subject to periodic review and may be varied by the University.

### **5. Extra-curricular work**

Academic, Research, Academic-Related and Associate Lecturer staff may undertake appropriate paid and unpaid extra-curricular activities appropriate to their status and academic or professional skills. For further details, please see the appropriate Terms and Conditions of Service document.

### **6. Freelance work and University time and materials**

The policy with regard to employees undertaking work on a freelance basis is as follows:

- All work required of media or other University service units for University purposes (which include research as well as teaching purposes) must be formally requisitioned from those units, if the cost is to be met from University budget;

- The units themselves must have appropriate procedures to allocate, schedule and control the carrying out of this work; or where internal capacity is inadequate for it, to place it externally according to approved purchasing procedures;
- On no account is such University work to be done on a private practice basis by employees of the University;
- On no account is any genuinely private work to be done in University time and with University facilities and materials.

## **7. Equality, Diversity and Inclusion**

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

## **8. Useful references**

Terms and Conditions – Academic Related Staff  
Terms and Conditions – Academic Staff  
Terms and Conditions - Associate Lecturer Staff  
Terms and Conditions of Service – Full Time Research Staff  
Terms and Conditions – Support Staff  
Allowances and Out of Hours Rates  
Travel Rates