

Unauthorised Overtime Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | December 2024

Important Notice

This template provides general guidance on overtime approval. If overtime is worked, even without approval, it must generally be paid. Seek legal advice on specific situations. Check your award for overtime provisions.

1. Purpose

This policy establishes [Company Name]'s requirements for overtime authorisation. It clarifies that overtime must be approved in advance and sets out the process for managing situations where overtime is worked without approval.

2. Scope

This policy applies to:

- All employees entitled to overtime
- All overtime situations
- All work locations and departments

3. Overtime Authorisation Requirement

3.1 Pre-Approval

- All overtime must be approved before it is worked
- Employees must request approval from manager
- Working overtime without approval is not permitted

3.2 Approval Process

- Request overtime from your manager
- Explain the reason and expected duration
- Receive approval before commencing
- Record approval reference

4. What is Unauthorised Overtime?

Unauthorised overtime includes:

- Starting work before scheduled time without approval
- Working past scheduled finish without approval

- Working during unpaid breaks without approval
- Working additional days without approval
- Any work outside ordinary hours without approval

5. Emergency Situations

5.1 Genuine Emergencies

In genuine emergencies where pre-approval is not possible:

- Address the immediate situation
- Notify manager as soon as practical
- Document the circumstances
- Seek retrospective approval

5.2 What Constitutes Emergency

- Customer or employee safety risk
- Critical system failure
- Situations requiring immediate action
- Manager unavailable for approval

6. Payment for Unauthorised Overtime

6.1 Legal Requirement

Where overtime has been worked, even without approval, it generally must be paid at the applicable overtime rate. Non-payment for hours worked may breach employment laws.

6.2 Payment Process

- Hours worked will be paid
- Payment does not authorise the overtime
- Working without approval remains a breach

7. Manager Responsibilities

7.1 Approval

- Process overtime requests promptly
- Only approve legitimate operational needs
- Document approvals given

7.2 Monitoring

- Monitor employee hours
- Identify patterns of unauthorised overtime
- Address issues promptly

7.3 Preventing Unauthorised Work

- Ensure workloads are manageable
- Communicate clearly about finish times
- Do not create expectation of unpaid work

8. Employee Responsibilities

- Obtain approval before working overtime
- Do not work outside scheduled hours without approval
- Report concerns about workload
- Do not work through breaks without approval

9. Consequences of Breach

9.1 First Occurrence

- Discussion with manager
- Remind of approval requirements
- Address any underlying issues

9.2 Repeated Breaches

Continued unauthorised overtime may result in:

- Formal counselling
- Written warning
- Disciplinary action

9.3 Not Applicable To

- Workload set by employer requires overtime
- Manager aware and did not prevent work
- Employee directed to work overtime

10. Workload Concerns

10.1 Raising Issues

If regular overtime is needed to complete work:

- Discuss with manager
- Review workload allocation
- Identify efficiency improvements
- Consider additional resources

10.2 Resolution

- Workload adjusted where possible
- Overtime approved if needed

- Alternative arrangements considered

11. Recording

- All hours worked must be recorded
- Including unauthorised overtime
- Accurate records required regardless

12. Review

This policy will be reviewed annually or when overtime practices change.

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Unauthorised Overtime Policy.

Employee Name: _____

Signature: _____

Date: _____