

Time Off in Lieu (TOIL)

Human Resources Policy

Effective Date: June 2010

1 PURPOSE

To outline time off in lieu (TOIL) arrangements and related processes.

2 APPLICATION

This policy applies to all Queensland Health employees entitled to TOIL under their respective Award.

3 GUIDELINES

Guidelines may be developed to facilitate implementation of this policy. The guidelines must be consistent with this policy.

4 DELEGATION

The 'delegate' is as listed in the Queensland Health Human Resource Delegations Manual as amended from time to time.

5 REFERENCES

- Queensland Public Service Award – State 2003
- District Health Services Employees Award – State 2003
- Nurses (Queensland Public Hospital) Award – 2004
- Nurses (Queensland Public Health Sector) Award 2004
- Directive 5/05 – Hours and Overtime

6 SUPERSEDES

- IRM 2.5-7 Time of in Lieu – District Health Services' Employees Award and Nurses (Queensland Public Health Sector) Award and Nurses (Queensland Public Hospitals) Award

7 POLICY

7.1 Time off in lieu (TOIL)

TOIL is accumulated on a time-for-time basis, i.e. when four hours are worked then four hours are credited to the TOIL balance, irrespective of the day on which the work is performed. TOIL is to be taken at a mutually convenient time.

7.2 Recording of TOIL

Each work area is to ensure an accurate and reliable system is used for recording the accumulation and taking of TOIL. Line managers are accountable for the management

of this employee entitlement and are required to justify accruals when TOIL balances are excessive.

TOIL is not currently able to be recorded on the rostering and payroll system, however work is being done to allow for this provision.

8 APPLYING THE POLICY

8.1 Queensland Public Service Award – State 2003

Public Service Award employees are to refer to Directive 5/05 – Hours and Overtime.

8.2 District Health Services Employees’ Award – State 2003

Clause 6.8.2 of the District Health Services Employees’ Award – State 2003 permits the granting of TOIL in lieu of payment for overtime. The following limitations to the granting of TOIL apply:

- The maximum number of working days an employee can add to annual recreation leave as equivalent time off work for work performed is 10 days in any one year, and 20 days when an employee has elected to accumulate recreation leave for two years.
- The period of time during which an employee can use TOIL before it lapses is six months from time of accrual.

Every endeavour is to be made to grant employees time off in accordance with the above arrangements. In exceptional circumstances, the employee and their supervisor may agree on an alternative arrangement.

8.3 Nurses (Queensland Public Hospitals) Award – 2004 and Nurses (Queensland Public Health Sector) Award – 2004

Clause 29.7 of the Nurses (Queensland Public Hospital) Award – 2004, and clause 9B(c)(vii) of the Nurses (Queensland Public Health Sector) Award 2004, provide for an employee to be granted TOIL of overtime, subject to the employer and the employee agreeing to such an arrangement. This provision is not to be restricted to weekends and/or public holidays.

Accrual of TOIL cannot exceed 24 hours. Any time in excess of 24 hours is to be paid at the relevant overtime rate.

9 DEFINITIONS

Time off in lieu (TOIL)	Hours worked outside of the ordinary starting and finishing times or in excess of ordinary hours of duty, accumulated on a time-for-time basis to be accessed at a mutually agreeable time between the employer and employee.
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10 HISTORY

June 2010	Clause 7.2 amended to remove reference to lattice as the new payroll and rostering system has been implemented.
August 2009	Amended to include reference for Public Service Award employees.
May 2009	Amended for application prior to new HR solution.
December 2008	Developed as a result of the HR policy consolidation project.