

Time Off In Lieu (TOIL) Policy & Procedure

Introduction

On occasions, the hours worked by (company name) employees may exceed contracted hours. This may be due to: evening meetings, weekend work, calls or work undertaken at home, or there may be an occasional unplanned yet urgent need to extend the working day.

Aim of the Policy

To promote fairness and equality these guidelines provide guidance to employees and managers when actual hours of work are in excess of contracted hours of work.

Objectives

- To clarify the different terms used.
- To outline the different processes available to employees to compensate their time and flexibility.
- To promote safety in the workplace by being able to track employees easily especially those employees working outside traditional work hours.

Outcome of the Policy

That employees are appropriately compensated for any additional hours worked.

Definition of Terms

Time off in Lieu (TOIL) is defined as time taken off to compensate for planned (or occasionally unplanned) time worked in addition to contracted hours. There is no provision for overtime to be paid under TOIL.

Overtime pay is defined as the additional pay claimed as a result of additional hours worked to contracted hours. It can be planned or occasionally unplanned. Unless an employee has a contractual entitlement to overtime or it has previously been authorised by the appropriate line manager any claim for overtime will not be considered.

Principles of the Guidance:

Authorisation

Whenever possible, employees should not work additional hours and only then if:

- It has been agreed in advance by their manager. It is recognised that there are occasional exceptional circumstances, e.g. when an employee is delayed and is unable to contact the manager, in which case authorisation in advance may not be possible.
- Please give at least 48 hours' notice as good practice as to when you would like your TOIL hours to be considered as this will help your manager plan around your proposed time off.

Working Hours

If any employee regularly works additional hours, then working hours may need to be formally amended to reflect this. Typically, no more than 16 additional hours should be worked in a four-week period for good practice. This will apply on a pro rata basis for part-time staff.

Record Keeping

Additional hours should be recorded on a TOIL form. The reason for any additional hours should be clearly stated. If the extra time worked is fifteen minutes or less, this does not need to be documented on this form (in order to avoid too much form-filling) and should be dealt with locally and informally by agreement with the manager.

Importance of Keeping Records

It is vital that (company name) know the volume of work that is involved in any services, so that we can plan services proportionately and have the right information when considering service development.

Time off in Lieu (TOIL)

Taking back any time in lieu must be agreed by a manager according to service needs and should be recorded.

Any time in lieu accumulated should be taken within 28 days. If this is not possible, the employee should inform their manager and agree a suitable date for taking time back at the discretion of the manager. If not, the time will be lost.

Normally no more than one day at a time should be taken back at once, at the discretion of the line manager. Taking back time owed in lieu should not be used as an alternative to taking annual leave. If an employee wishes to take TOIL in conjunction with annual leave (i.e. added at the beginning or end of such leave) the effect this will have on operational needs and staffing will need to be taken into consideration before agreement is given.

Part-time employees who may be attending meetings or training, as identified in their personal development plan, on days not usually worked may use the TOIL form to record additional hours worked. The same procedure should be followed for taking time back.