



## Meal Allowances (overtime) (policy & procedure)

### Objective (purpose)

The purpose of this document is to establish procedures for the calculation and payment of meal allowances to employees who have worked outside of normal working hours and to outline the circumstances where such payment is warranted.

### Policy & procedure statement

This policy and procedure applies where:

- an employee working in accordance with the variable working hours arrangements has been authorised to work overtime outside the spread of hours  
or
- an employee, including an assistant commissioner, senior officer or senior officer classification level, performs authorised duties outside ordinary hours.

For payment of meal allowances or reimbursement of expenses for meals where travel on official duty applies, see the *Travelling Expenses policy and procedure*.

The Commission is committed to providing entitlements that are consistent with entitlements provided to other public sector employees. The Commission has taken into consideration entitlements of employees of the Queensland Public Service.

### Definitions

For the purposes of this policy and procedure the following definitions apply:

<b>Term</b>	<b>Definition</b>
Full overtime shift	the same number of hours an employee is required to work on an ordinary day. (eg. Administrative officer 7.25 hours or monitor 10.35 hours)

### Application

This policy and procedure applies to all commission officers as defined by Schedule 2 of the CM Act 2001 excluding casuals and police officers.

### Procedure

#### Entitlement

#### Meal break during authorised overtime

In the interests of health and efficiency, and employee is not expected to be required to work more than;

- 3 hours overtime in addition to hours worked between “ordinary starting and ceasing time”;  
or

- 3 hours overtime worked where such overtime is in excess of a “full overtime shift”;

unless special circumstances exist.

Where either scenario occurs a meal break of 45 minutes is to be taken for each such period of overtime.

### Circumstances where meal allowance applies

In addition to any compensation received for overtime, an employee will be paid a meal allowance as follows.

<b>OVERTIME MEAL ALLOWANCES</b>	
In addition to any compensation received for overtime, an employee is to be paid a meal allowance as follows:	
<b>Situation</b>	<b>Minimum Entitlement</b>
<b>On days with “ordinary starting or ceasing times”:</b>	
(i) Where an employee is required to work for more than one (1) hour before or after their “ordinary starting or ceasing time”  OR  (ii) Where an employee is required to continue or resume duty more than one (1) hour after his or her “ordinary ceasing time” AND cannot reasonably be expected to return to his or her residence for a meal	\$10.00 Allowance          \$21.00 Allowance - only where an unpaid meal break of 45 minutes has been taken*
* Where an employee in (ii) does not take the 45 minute unpaid break, either by their election or by mutual agreement with their manager, the \$21.00 Allowance will not be paid and clause (i) will be applied.	
<b>On days other than those with “ordinary starting and ceasing times” (ie; non-working days including public holidays):</b>	
(i) Where an employee is required to work for more than four (4) hours overtime:  OR  (ii) Where an employee is required to continue or resume duty more than one (1) hour after completing four (4) hours overtime, AND cannot reasonably be expected to return to their residence for a meal   AND (if applicable)  (iii) Where the employee continues or resumes duty for more than one (1) hour after completing a “full overtime shift”, AND cannot reasonably be expected to return to his or her residence for a meal	\$10.00 Allowance          \$21.00 Allowance – only where an unpaid meal break of 45 minutes has been taken*          A further \$21.00 Allowance – only where an unpaid meal break of 45 minutes has been taken
* Where an employee in (ii) does not take the 45 minute unpaid break, either by their election or by mutual agreement with their manager, the \$21.00 Allowance will not be paid	

*and clause (i) will be applied.*

**Examples:**

An employee ordinarily works Monday to Friday.

- If the employee stays back for an hour and a half after “ordinary ceasing time” on a Wednesday they will receive \$10.00 Allowance.
- If the employee stays back for 4 hours after “ordinary ceasing time” on a Thursday, without a break of 45 minutes, they will receive \$10.00 Allowance. If they take an unpaid break of 45 minutes, and cannot reasonably be expected to go home and have a meal, the Allowance will be \$21.00.
- If the employee works overtime for 5 hours on the Saturday, they will receive \$10.00 Allowance.
- If the employee works a full day (7.25 hours) worth of overtime on the Sunday, without a break of 45 minutes, they will receive \$10.00 Allowance. If they take an unpaid break of 45 minutes, and cannot reasonably be expected to go home and have a meal, the allowance will be \$21.00.
- If the employee is asked to stay back and work further overtime after having worked a full day (7.25 hours) worth of overtime on the Sunday, depending on whether they have an unpaid lunch break, they will receive either \$10.00 or \$21.00 PLUS a further \$21.00 (on the condition they have an unpaid 45 minute dinner break).

**Payment of claims**

Employees must submit claims for payment of meal allowances on HRS 017 – *Overtime/TOIL/penalty shift and recall to duty claim form* to the Human Resources Section.

**Time limit for claims**

A claim made pursuant to this policy and procedure will not, without the approval of the Executive Manager or Senior Manager (as listed in the HR Schedule for Delegations), be considered for payment unless it is submitted within 12 months from the date the overtime was worked.

**Legislative reference**

N/A

**Other references**

*Overtime/TOIL policy and procedure*

*Travelling Expenses policy and procedure*

**Review triggers**

Periodical review by April 2015

This policy and procedure will remain in effect until updated, superseded or declared obsolete.

**Metadata**

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