

Overtime (clause 29)

Overtime is worked at the direction of the Employer (clause 29.1) and must be approved in advance in order to attract payment at overtime rates (clause 29.2)

Approved overtime is paid for work performed:

- Outside the span of ordinary hours; or
- More than 38 ordinary hours per week (including for part-time and casual teachers); or
- More than 8 ordinary hours a day; or
- More than 1740.4 ordinary hours per annum (except where accountable hours increase due to the teacher taking fewer than 4 weeks annual leave for the year) (clause 29.1).

Overtime rates are:

- Monday to Saturday 150% for first two hours, 200% thereafter
- Sunday 200%
- Public Holiday 250% (clause 29.6)

An institute may require a teacher to work reasonable overtime at overtime rates, that cannot be unreasonably refused (clause 29.3). In determining whether a request for overtime is reasonable, or if the Teacher's refusal is unreasonable, a range of criteria is considered, e.g. teacher's personal circumstances, organisational need, notice given to work or refuse the overtime, and OHS considerations (clause 29.5).

Excess Teaching Duty Hours (clause 33)

Excess Teaching Duties Hours (ETDH) are when a **teacher agrees to perform more than 400 teaching delivery hours in a semester**, and the teacher will not unreasonably refuse a request for ETDH.

In determining whether the request for ETDH is reasonable, or if the Teacher's refusal is unreasonable, the following criteria will be considered: Any health and safety risks, teachers personal circumstances including family responsibilities, the needs of the workplace, entitlement to ETDH payments, the notice given by employer to work or teacher to refuse, usual patterns of work by teachers, the nature of the teacher's role and level of responsibility, any other relevant matters (clause 33.6).

- ETDH are not counted towards the annual maximum of Teaching Delivery 800 hours.
- No more than 75 ETDH can be undertaken per semester.
- ETDH receives a 50% loading on top of the ordinary rate of pay (except where overtime applies)
- The CAPPs for ETDH is 30 minutes per hour of ETDH and directly relates to the ETDH, although a teacher may agree to use the CAPPs allocation for other duties if they wish to do so (clause 33.3).
- When ETDH applies, it will result in a discussion and revision of the teachers workplan and a subsequent decrease in allocated duties.
- Where a teacher and the Institute *agree at the start of a semester on timetabled ETDH, the loading is paid fortnightly as part of an annualised salary for the semester* (clause 33.4).
- An annualised salary means the loading is added to the teacher's hourly rate in the semester, which increases the rate payable for superannuation and paid leave for the applicable period.

The annualised salary will be payable for periods of paid leave taken in or adjacent to the semester, up to a maximum of 4 weeks. (Clause 33.4)

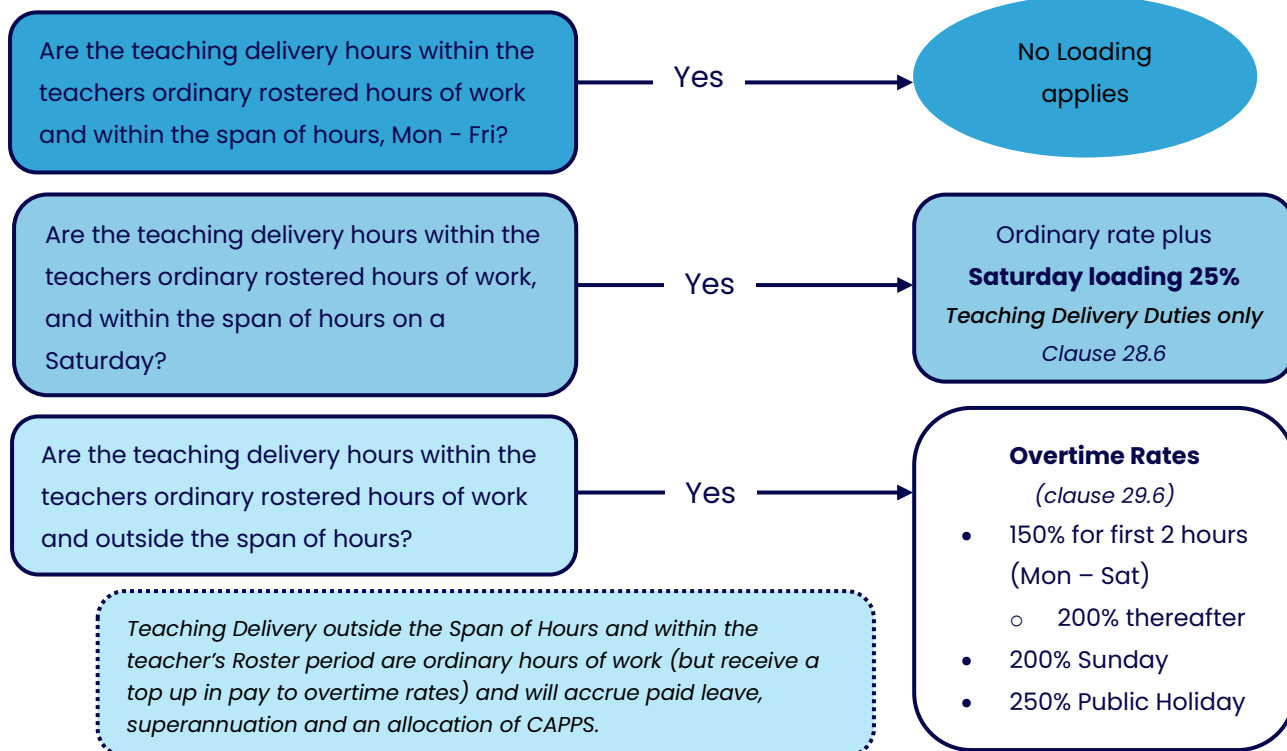
Nothing in this document changes the intention of the Agreement.

For further information on the Vic TAFE Teaching Staff Agreement 2024 please contact your Institute's HR Department or Australian Education Union <https://www.aeuvic.asn.au/> or phone: 1800 238 842

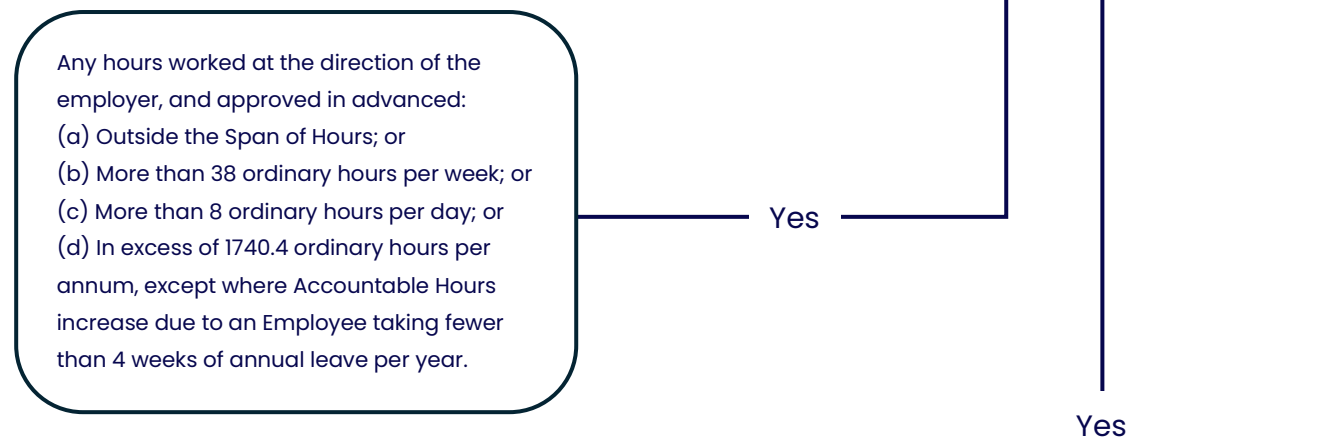


Which Loading Applies?

Teaching Delivery Hours (Clause 28)



When does Overtime apply (Clause 29)



Excess Teaching Duty Hours (ETDH) (Clause 33)

