



GROUP TRAINING ORGANISATION POLICY & PROCEDURE

OVERTIME POLICY AND PROCEDURE

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PRIMARY ROLE : CEO

SPECIAL NOTE : MTA Apprentices are not permitted to undertake work that does not meet the criteria for coverage by Return to Work SA i.e. cash in hand.

SPECIAL REQUIREMENTS :

ATTACHMENT :

REFERENCES : Guide for Managing the Risk of Fatigue at Work November 2013 SafeWork Australia
MTA Fatigue Management Plan

DOCUMENTS : Fortnightly Overtime Report

EQUIPMENT & RESOURCES :

QUALIFICATIONS, TRAINING OR SPECIALIST KNOWLEDGE : Experience using JobReady
Knowledge of TAS Trainee/Apprentice Suspension process and guidelines

AUTHORISED : _____ DATE: 12/06/2020
CHIEF EXECUTIVE OFFICER



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PURPOSE

The purpose of this policy is to:

- ensure that overtime worked is in accordance with policies of the Motor Trade Association Group Training Scheme (MTA GTS) and meets all safety requirements in so far as is reasonably practicable.
- overtime should only be worked when necessary to meet business/operational/safety requirements.

RESPONSIBILITY

CEO

It is the overall responsibility of the CEO to:

- ensure that the requirements of this policy are met in all instances.
- conduct or delegate to an appropriate person the task of conducting all MTA's due diligence checks in regards to the engagement of senior decision makers and other roles.



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General Manager Apprentice Employment Services

The General Manager Apprentice Employment Services through MTA GTS staff has overall responsibility for developing and managing policy and process that meets regulatory compliance requirements and as reasonably practicable ensures the safety and well being of MTA GTS Apprentice/Trainees.

The General Manager Apprentice Employment Services, with the assistance of MTA GTS staff, has responsibility for:

- the daily implementation and management of policy and process that meets regulatory compliance requirements and as reasonably practicable ensures the safety and well being of MTA GTS Apprentice/Trainees;
- ensuring that Host Employers and Apprentices are clearly informed of and meet the requirements of this policy.

Field Officers

Field Officers are responsible for ensuring that Host Employers and Apprentices are informed of and meet the requirements of this policy.

Payroll Department

The Payroll Department is responsible for maintaining accurate and up to date records of overtime and generating an Overtime Report on a fortnightly basis for the review of MTA GTS Managers and the WHS and Return to Work Coordinator.

Apprentice/Trainees

Apprentice/Trainees are responsible for ensuring they:

- do not exceed the maximum overtime levels indicated in this policy prior to seeking an exemption to the maximum overtime levels AND having received approval from MTA GTS.

Host Employers

Host Employers are responsible for ensuring that:

- MTA GTS Apprentice/Trainees do not exceed the maximum overtime levels without MTA GTS approval.

DEFINITION

Chief Executive Officer : a) a person, by whatever name called and whether or not a director of the organisation, who is concerned in, or takes part in, the management of the organisation; or



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- b) if the organisation is a body corporate:
 - i) a person who, at any time during a period for which the organisation is registered, owns 15% or more of the organisation; or
 - ii) a person who, at any time during a period for which the organisation is registered, is entitled to receive 15% or more of dividends paid by the organisation; or
- c) an administrator, receiver and manager, or liquidator of the organisation (other than a receiver and manager, or liquidator, appointed by a court); or
- d) if the organisation is a body corporate—the administrator of a deed of company arrangement executed by an organisation; or
- e) if the organisation is a body corporate—a trustee or other person administering a compromise or arrangement made between the organisation and another person or other persons.

- High Managerial Agent : an employee or agent of the organisation with duties of such responsibility that their conduct may fairly be assumed to represent the organisation.
- Field Officer : GTS staff member who is responsible for the placement and monitoring of trainee/apprentices.
- Guardian Consent : Standard form or formal record of guardian giving consent for a MTA GTS Apprentice/Trainee to undertake overtime work.
- JobReady : Student Records Management Database.
- Overtime : Time worked in addition to standard working hours. These may include hours worked



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directly following the standard hours worked in a day or may be additional days worked i.e. weekends.

- Supervision : Levels of supervision required for apprentice/trainees at different stages of their apprentice/traineeship as determined by TaSC.
- Training & Skills Commission : TaSC is the South Australian Government body that regulates apprenticeships and traineeships under South Australian Government guidelines.

POLICY

Coverage

This procedure covers all MTA GTS apprentices whilst working under their Host Employer Agreement.

Standard Overtime

To assist in the management of overtime, to provide greater visibility of overtime levels and to facilitate fatigue management, the following levels apply for the working of standard overtime.

First Year Apprentice*	Up to 10 hours over 5 starts or 14 hours over 6 starts
Second Year Apprentice*	Up to 11 hours over 5 starts or 15 hours over 6 starts
Third Year Apprentice**	Up to 12 hours over 5 starts or 16 hours over 6 starts
Fourth Year Apprentice**	Up to 13 hours over 5 starts or 17 hours over 6 starts

* Apprentice must be under direct supervision whilst performing overtime.

** Apprentice must be under general supervision whilst performing overtime.

This schedule outlines the standard overtime threshold that our apprentices can reasonably be rostered to work where there is consent between the apprentice and the host employer. In the case of an apprentice under the age of 18 years guardian consent is required.

Higher thresholds for specific groups of employees may be agreed conditional upon:



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1. Evidence of a satisfactory fatigue management plan
2. Evidence that the apprentice will be adequately supervised throughout the period of overtime
3. Guardian consent where apprentice is under 18 years of age

Documentation evidencing the above must be provided to the GM Apprentice Employment Services prior to overtime being worked.

Fatigue Management

When employees work overtime there is a risk of fatigue. It is essential when allocating overtime that the overtime is in accordance with a satisfactory *Fatigue Management Plan*. This plan must be in accordance with the SafeWork Australia Fatigue Management Guidelines.

Monitoring and Management of Overtime

Overtime reports will be available on a fortnightly basis.

These reports are to be reviewed by GTS managers to:

- Ensure that correct payments have been made
- Assess fatigue as per the *Fatigue Management Plan*
- Ensure the ongoing safety of all apprentices

ACCESS AND EQUITY

It is the policy of MTA GTS to ensure an environment that is, as a minimum, aligned with State and Federal legislation: MTA GTS commits to providing a safe and equitable environment through zero tolerance of any form of harassment, bullying, discrimination and/or racial vilification.

For further information refer to MTA GTS Access, Equity & Fairness Policy POLO13 13.
