

39. SHIFT PAYMENTS

Interpretation

39.1 For the purposes of this by-law:

“afternoon shift” means a shift commencing at or after 10.00 am and before 8.00 pm;

“day shift” means a shift commencing at or after 6.00 am and before 10.00 am;

“night shift” means a shift commencing at or after 8.00 pm and before 6.00 am; and

“shift worker” means an employee rostered to perform ordinary hours of duty outside the period 6.30 a.m. to 6.00 p.m. Monday to Friday, and/or Saturdays, Sundays or public holidays for an ongoing or fixed period.

39.2 A reference in this by-law to a percentage is a reference to a percentage of the employee's ordinary rate of pay.

Entitlement

39.3 A shift worker is entitled to be paid an additional payment at the appropriate rate in relation to shift work.

39.4 The appropriate rates for additional payments are:

- (a) 15% for an afternoon or night shift;
- (b) 30% for a night shift where that shift is worked continuously for a period of 4 weeks;
- (c) 50% for a shift worked between midnight Friday and midnight Saturday;
- (d) 100% for a shift worked between midnight Saturday and midnight Sunday; and
- (e) 150% for a shift worked on a public holiday.

39.5 OMITTED

39.6 Where under normal circumstances, an employee is rostered for duty in such a way that a public holiday falls on a day that the employee is not rostered for duty, the employee is entitled to be paid one (1) day's pay at the ordinary rate for that employee in relation to that public holiday.

- 39.7 An additional payment payable in relation to shift work under this by-law is not to be included when calculating overtime pay or any allowance based on salary and a shift worker who works overtime is to be paid in relation to that time in accordance with by-law 37.
- 39.1 For the purposes of this by-law, where a shift commences on a day that is a public holiday and continues on to the next day which is also a public holiday the whole of the shift is to be regarded as only one shift.