

At Sea Overtime and Time Allocations – The Ocean Sciences Division Understanding: 24 Nov 2014

This document was developed from a working group put together from the four science divisions in the Pacific Region to assist with overtime claims and understandings for sea-going field work. One of the outcomes from this working group was that each science division operates slightly differently and thus no development of a broad understanding occurred. This document only applies to Ocean Sciences Division (OSD) employees working on OSD cruises. For participation on other cruises with other divisions (e.g., CHS, SAFE, and MEAD), a discussion with the chief scientist should take place prior to departure to ensure there are no misunderstandings on which divisional or sectional understanding should apply. Note that there are currently no divisional policies for MEAD or SAFE divisions, although some MEAD sections or programs have developed their own overtime understandings. CHS has a separate and existing overtime policy document.

Shift Work vs. Non-Shift Work Definition

If an employee is assigned a specific shift when on board the vessel, then that employee becomes a shift worker for the duration of the cruise. Some typical shifts examples are 04:00-08:00, 16:00-20:00 or 12:00-24:00, but other variations exist. The chief scientist will typically announce the shifts in the initial cruise plan that is due a minimum of six weeks prior to sailing. Shifts must be finalized and announced within 21, 5, or 7 days of sailing (for EL, PC/CH/BI, and EG employees respectively) or a shift premium may be charged by the employee during their first shift for short shift notice. Shifts may be scheduled in advance to change while at sea if a reduced work load is anticipated. Shift workers are expected to be available for work during any assigned shift period.

Non-shift workers do not stand a watch, but may work odd hours as defined by the sampling program. Some examples would include those running samples during the day and those on board assigned to specific tasks that could occur at any time.

Only shift workers may claim shift premiums on their overtime claim form.

Note that some cruises may have shift workers revert back to standard hours for part of the cruise. This is typical while transiting and no sample processing requiring additional time is required.

Hours While At Sea

Typical OSD shift work does not include designated meal breaks as the person on the shift is expected to be available for work during all hours in the shift, including designated meal times on board. While it is a requirement of the various collective agreements that the employer shall make every reasonable effort to schedule a meal break during a shift, a typical OSD operation will either have shift workers

order and put away their meals for consumption later during their shift when there is a break in work or have other cruise participants, including those not on shift, stand-in while the shift workers eat. This is quite common during the lunch meal as the shift coming on will arrive 10-15 minutes earlier after finishing their lunch to allow the leaving shift time to eat lunch before the lunch period is over. The understanding is that neither shift that participates in this exercise shall claim or not claim additional time worked.

As OSD does not follow the designed meal breaks, the minimum shift claimed on any OSD cruise shall be 8 hours. Minimum hours do not apply to non-shift workers on board, however if time sensitive sampling is underway, overtime for non-shift workers may span over a meal period.

Delays in program, such as SAR calls, weather days, port calls, etc are still subject to the minimum hours and shift workers are expected to be available for work during their shift, regardless of delays in the program.

Cruise Overtime Allocations

The Chief Scientist is responsible for outlining the anticipated overtime for the upcoming cruise and discussing with the participants well before the cruise (a minimum of six weeks). The Chief Scientist must then forward this document to supervisors and the division head for approval. Scientists collecting overtime are expected to roughly define how they will take the overtime, in cash, time, or a combination. Management reserves the right as per the collective agreement to insist on cash payout of overtime.

No overtime above and beyond the outlined and documented amount will be claimed by participants unless they have authorization from the Chief Scientist prior to commencing the overtime EXCEPT where extraordinary situations occur, such as an emergency repair of equipment when the chief scientist is not readily available to approve. For extraordinary situations, the chief scientist must be informed of the overtime as soon as possible.

Scientists may also not “average overtime”, a common practice with some other DFO divisions (if you work 12 hours one day and 8 hours the next, do not claim for 10 hours per day average). Claim the hours worked per day in the local time zone (no UTC times on overtime forms). Also note that different collective agreements deal with what defines a “shift” or a “day” and that a “day” may not necessarily start at midnight. For EG/PC/BI/CH employees you have the option of defining your day start time for the entire cruise (e.g., you may choose to start your day at 19:30); For EL employees your day always starts at midnight. See the collective agreement summary table at the end of this document for additional details.

Shift Work and Down Time

Going to sea involves busy and less busy periods and at times when there is downtime while on shift as all samples/sampling have been run/analysed/completed etc. or more likely due to SAR calls, transiting, or bad weather. Even so, employees on board on shifts are expected to be available during their designed shift periods. While they may undertake other activities, such as having a nap, watching videos, or going to the gym, they are expected to be available *immediately* for work during their shift and they are responsible to inform the Chief Scientist or Watch Leader of their whereabouts during their shift period if not in the lab or other workspace. Conditions at sea can change rapidly based on weather and other demands; hence employees may be working again on very short notice. No activities that may impair their ability to work during their shift are to be entertained (e.g., consumption of alcohol).

Overtime Claims

Employees shall complete the overtime forms within one week of leaving the vessel and have the overtime form approved by both Chief Scientist and their supervisor. Both signatures must be present on the overtime form prior to Char processing it (unless the Chief Scientist and supervisor are the same person). Scientists are responsible for knowing their collective agreement and to know that variations exist between collective agreements. If claiming for cash payout or entering shift premiums, this is to be done via the CWA interface (<https://protege-secure.tpsgc-pwgsc.gc.ca/ouvdesessawr-cwasignin/ouverturesession-signin-eng.html?>).

Employees should understand that while at sea, there are periods where they are required to participate in drills and other vessel certification activities. These activities do not constitute claimable overtime hours unless their shift is scheduled at the same time as these activities. Note that the same policy applies to Coast Guard employees on board the vessel.

General Overtime Claims for Shift Workers as Per Collective Agreements

Note there are differences between collective agreements. Note that for OSD employees the 1st day of rest is always a Saturday and the 2nd day of rest is a Sunday.

EG

Weekdays 1.5x OT	After 7.5 hours worked (in any 24 hour period)
Weekdays 2.0x OT ①	After 15 hours worked contiguous (in any 24 hour period)
1 st Day of Rest ("Saturday") ②	7.5 hours @ 1.5x then 2.0x after that
2 nd Day of Rest ("Sunday")	2.0x
Holiday ②	7.5 hours @ 1.5x then 2.0x after that
Holiday after Day of Rest	2.0x
Shift Premium ③	Any hours between 16:00-08:00 @ \$2/hour
Sea-Duty Pay	No
Weekend Premium	\$2/hour any weekend hours worked

EL (non-operating)

Weekdays 1.5x OT	After 7.5 hours (starting at midnight)
Weekdays 2.0x OT ①	After 12 hours worked contiguous (starting at midnight)
1 st Day of Rest ("Saturday") ②	7.5 hours @ 1.5x then 2.0x after that
2 nd Day of Rest ("Sunday")	2.0x
Holiday ②	7.5 hours @ 1.5x then 2.0x
Holiday after 2 nd Day of Rest	7.5 hours @ 1.5x then 2.0x
Shift Premium ③	Minimum 4 hours worked 16:00-24:00 or 00:00-08:00 @ \$15/shift
Sea-Duty Pay	\$29 each night on board
Weekend Premium	No

PC/CH/BI

Weekdays 1.5x OT	After 7.5 hours worked (in any 24 hour period)
Weekdays 2.0x OT ①	After 15 hours worked contiguous (in any 24 hour period)
1 st Day of Rest ("Saturday") ②	7.5 hours @ 1.5x then 2.0x after that
2 nd Day of Rest ("Sunday")	2.0x
Holiday ②	7.5 hours @ 1.5x then 2.0x after that
Holiday after 2 nd Day of Rest	2.0x
Shift Premium ③	Any hours between 16:00-08:00 @ \$2/hour
Sea-Duty Pay	No
Weekend Premium	No

Notes for circled numbers:

1. 2.0x pay only applies if work is contiguous to 1.0x and 1.5x hours already worked (maximum break of 1.0 hours during contiguous work) otherwise 1.5x rate applies.
2. Hours need not to be contiguous for 2.0x pay for work on days of rest.
3. Shift premium also applies to any time worked outside defined shifts done during these periods.