

Fact Sheet - RMO Overtime

MOCA Oversight Committee

The purpose of this factsheet is to provide clarity in relation to the entitlement to overtime for Queensland Health's Resident Medical Officers (RMOs).

The fact sheet does not displace or otherwise replace the conditions as outlined in the current industrial framework.

Industrial framework:

- *Medical Officers' (Queensland Health) Certified Agreement (No. 6) 2022 (MOCA6)*
- *Medical Officers' (Queensland Health) Award – State 2015 (Award)*
- *Overtime HR Policy C60*
- *Hours, Overtime and Excess Travel PSC Directive 02/18**

Applicable clauses of the Award are as follows:

- 19. Hours of duty, overtime and related matters - resident medical officers
- 19.1 Hours of duty - resident medical officers
- 19.2 Extra payment for afternoon and night shift - resident medical officers
- 19.3 Extra payment for work on a weekend or a public holiday - resident medical officers
- 19.4 Overtime - resident medical officers
- 19.6 Recall - resident medical officers
- 19.7 Fatigue leave/rest period after overtime - resident medical officers

Applicable clauses of MOCA6 are as follows:

- 12.14 Overtime Resident Medical Officers

* Hours, Overtime and Excess Travel PSC Directive 02/18 only as it applies to excess travel.

RMO Overtime Examples

Calculation of overtime

Full-time RMOs

Payment for overtime to RMOs is to be calculated on a daily basis. Each day's overtime stands alone for payment and such time worked in excess of the minimum weekly ordinary hours is to be calculated at overtime rates on the day on which the hours were worked.

Example 1

A RMO who has been rostered for an eight-hour shift is required to work an additional two hours overtime. The RMO is entitled to payment for the two hours overtime.

Example 2

A RMO who has been rostered for a four-hour shift is required to work an additional two hours of overtime. The RMO is entitled to payment for two hours overtime.

Part time RMOs

A part time RMO can be engaged to work regular hours up to full time hours (i.e. up to, but not including, 76 hours per fortnight). Part-time RMOs who are required to work additional hours in excess of their ordinary hours will be entitled to overtime.

Example 3:

A part-time RMO has been rostered to work a four-hour shift from 10am to 2pm. They are subsequently asked to work until 6pm. The RMO agrees to undertake the additional hours, on an overtime basis. They are entitled to four (4) hours overtime.

Example 4:

A part-time RMO has been rostered to work a four hour shift from 10am to 2pm. They are subsequently asked to work until 6pm. The RMO agrees to undertake the additional hours, and agrees to work the hours at ordinary rates. The RMO is not entitled to overtime payments.

Prior approval of overtime

In accordance with clause 19 of the Award and clause 12 of MOCA6, generally RMOs must have prior approval to work where it will result in overtime payments. However, overtime may be paid without prior approval, if the work performed by the RMO was essential for the proper conduct of public business and the RMO could not have reasonably performed the work within their ordinary work hours.

Examples of situations which may necessitate a RMO performing overtime without prior approval include:

- Medical emergency;
- Transfer of a patient;
- Extended shift in theatre;
- Patient admission/discharge;
- Completion of outstanding patient transfer;
- Late ward rounds;
- Clinical handover; and
- Hospital-based outpatient clinics.

Example 5:

A full time RMO has a roster for a Monday, 10am to 6pm. The RMO is directed to attend work at 8am. The RMO is entitled to two (2) hours overtime.

Example 6:

A full time RMO has a roster for a Monday, 10am to 6pm. At 10am the RMO is required to attend ward rounds. As part of that process, the RMO must prepare, at the facility, immediately before the rounds. The preparations take 30 minutes. The RMO should talk to their line manager as to the most appropriate course of conduct. If operationally feasible, the RMO should be rostered to commence work 30 minutes before the ward rounds. If it is not possible to roster the ward rounds after the commencement of the shift, the RMO should seek prior approval for overtime.

Please note that neither the Award nor MOCA6 provide for TOIL. Consequently, it is not industrial appropriate for an RMO to perform additional hours of duty with the promise of the accumulation of TOIL. Additional hours of duty, subject to any specific limitations in the Award or MOCA6, are entitled to overtime.