

WORKING HOURS AGREEMENT

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CONTENTS:

1. Introduction
2. Scope of agreement
3. Determination of working hours
4. Overtime/extra hours and flextime
5. Special/senior consultants and researchers
6. Approval of timeregistration
7. Statement of working hours
8. Work at home
9. Medical appointments etc. during working hours
10. Commencement and termination

1 INTRODUCTION

At the Danish Institute for Human Rights, we want to have clear and flexible working conditions that contribute to a good working environment and to tasks being performed with quality and commitment. This means that work is done when and where needed, while at the same time ensuring a good work-life balance. We work within the framework established for government jobs and according to collective agreements. The working hours agreement replaces the agreement entered into in the DIHR Collaboration Committee (SAM) in March 2011, and at the same time the working hours agreement supersedes the centrally agreed working hours rules for the respective employee groups.

2 SCOPE OF AGREEMENT

The agreement on working hours applies to all employees of the Institute. The respective line manager and the employee may, in exceptional circumstances and after consultation with union representatives, enter into an individual agreement that departs from the general guidelines.

3 DETERMINATION OF WORKING HOURS

The average weekly working hours are governed by collective agreements and specified in employment contracts. The line manager may, in consultation with the respective employee, determine when the employee should work so that tasks can be optimally performed. Work should be performed as far as possible within the Institute's normal working hours. Employees and line managers have a shared responsibility to monitor employees' use of time. If an employee works too many hours in certain periods, the line manager should make an agreement with the said employee within the context of the working hours agreement.

Normal working hours include:

- a 37-hour working week for full-time employees corresponding to a daily norm of 7 hours and 24 minutes (7.4 hours),
- working hours at workplaces at home or abroad,
- working hours on business trips, based on the corresponding standard working hours in Denmark,
- working hours in connection with courses, conferences,¹
- travel time at home and abroad, with a maximum of 13 hours per day's travel².

Travel time is the journey time to and from the workplace including time spent waiting at a train station, airport etc.³ For trips where the travel time per travel day exceeds 13 hours, a specific agreement can be reached between the respective line manager and employee on extended travel time.

4 OVERTIME/EXTRA HOURS AND FLEXTIME

It is important to make a clear distinction between overtime/extra hours and flextime. Basically, overtime/extra hours are the hours that the employee is required to work over and above his/her daily norm, while flextime is the hours that employees arrange on *their own account* above or below the daily norm.

¹ Attendance of employees at courses is taken into account in the same way as normal working hours, meaning that travel time, professional training activities and breaks of less than half an hour are all included in the working hours statement. Breaks in addition to the daily norm of half an hour and social activities are not recognised as working hours.

² cf. PAV (personnel administration handbook) chapter 19.2.6.

³ The travel time is assumed to being ½ hour before the arrival time according to the itinerary and to end ½ hour after the employee's return, for example, to the airport.

4.1 OVERTIME/EXTRA HOURS

Hours in excess of the average full-time norm of 7.4 hours per day can be logged as overtime/extra hours if the hours:

- a. are required by the line manager, or
- b. are in addition to the daily average full-time norm of 7.4 hours, where this is essential for ensuring that the task is performed properly and with the quality that the line manager expects.

Re a) Required or ordered overtime/extra work are special cases where certain tasks require a substantial effort over an extended period, normally no less than four weeks. It is the line manager who requires overtime/extra hours.

Re b) Normally, tasks should be performed within the respective employee's standard working hours as set out in his or her employment contract. However, there may be projects that require additional work from the employees for a limited period, above and beyond what they would be expected to perform within the agreed working hours. Overtime in relation to b) should only be logged after consultation with the manager.

The employee must log the hours on the overtime/extra hours account, which the line manager approves monthly and balances quarterly.

4.1.1 Especially for academic staff with a duty to be available

Academic staff with a duty to be available can accumulate overtime/extra hours where this exceeds 20 hours per quarter (35 hours per quarter under the old pay scheme). Overtime/extra hours are multiplied by a factor of one and a half.

4.1.2 Especially for clerical staff

Clerical staff do not start accumulating overtime until the working hours are in excess of the *monthly* full-time norm, as evidenced by the current balance in the timeregistration system. Overtime hours are multiplied by a factor of one and a half.

4.1.3 Time off in lieu for required overtime/extra hours

Overtime/extra hours must be taken as time off in lieu within the next quarter. The line manager reaches agreement with the employee on time off in lieu. If it is not possible to take hours off in lieu, the

employee may, as agreed with the manager, choose to convert them into care days on expiry of the time off in lieu deadline.⁴

The employee may not normally have more than 10 care days in his/her care day account. In special cases, the line manager may decide that the employee can have a greater number of care days than the 10 due.

4.1.4 Payment of overtime/extra hours

If, in exceptional cases it is not possible to take time off in lieu of overtime/extra hours, this time can be paid out. The payment is calculated on the basis of the overtime/extra hours according to the respective employee's hourly rate. Payment of overtime/extra hours generally takes place four times a year (1 April, 1 July, 1 October and 1 December).

4.2 FLEXTIME

Hours that are not overtime/extra hours, but are above or below the average full-time norm of 7.4 hours per day, are added to the flextime account at a rate of one-to-one.

4.2.1 Statement of flextime hours

The employee must enter the hours in his/her flextime account and take the time off when this does not conflict with his/her other tasks. The employee's flextime account should be balanced at the end of each quarter. Deficits/surpluses of flextime can be transferred to the next quarter.

At the time of balancing, a flextime account may have a **maximum of 30 hours of surplus or 10 hours of deficit**. If an employee's flextime account exceeds 30 hours, the line manager will reach agreement with the employee on how the excess hours can be brought back within the normal range. Excess hours over and above 30 hours at the end of a quarter generally lapse.

4.2.2 Taking flextime hours

If an employee has accumulated one hour of flextime on one day, he/she may accordingly elect to work one hour less on another day. If the demands of work allow it, flextime can be compensated as full days. However, this has to be agreed with the line manager.

⁴ Overtime/extra hours are converted into care days according to the maternity agreement rules on care days under the old arrangements, which means that there is no deadline. Other assigned care days must be taken within the calendar year.

4.2.3 Special provisions on travel time

Travel time is to be logged as regular working hours. If travel time exceeds 7.4 hours, it accrues to the flextime account. Overtime/extra hours for travel can only be logged if it is essential/required that the travel takes place on a weekend or on a public holiday.

4.2.4 Termination of employment

The flextime and overtime account must be brought into balance when an employee leaves. Any outstanding hours converted into care days lapse on termination of employment. The line manager may decide whether the accumulated hours are to be granted as time off in lieu or paid out on termination of employment.

4.2.5 Notification of union representatives

Administration and Finance shall inform union representatives on a quarterly basis about the overall status of employee time accounts and agreements on taking flextime or time off in lieu of overtime/extra hours.

5 SPECIAL/SENIOR CONSULTANTS AND RESEARCHERS

The average working week for special/senior consultants and researchers is 37 hours, but without any upper limit. They are not covered by the rules on compensation for overtime/extra hours, just as they are not covered by the flextime agreement. Therefore they cannot log hours in a flextime account. The Institute also wishes that employees in these categories should be able to organise their work flexibly, provided that it is performed satisfactorily. These matters are agreed on an ongoing basis between employee and his/her line manager.

Extra work for special/senior consultants and researchers can be entered in a special column in the timeregistration system.⁵

5.1 SPECIAL CASES OF COMPENSATION FOR EXTRA WORK

In special cases, consultants and researchers may take compensatory time off or be paid for extra work. This applies if the work was required in a certain period or it was necessary to work to an unusual extent to ensure that the tasks were performed to the required standard. It is always for the line manager to determine for how many hours the employee should be reimbursed. An employee may be allotted a

⁵ 'Merarbejde konsulenter og forskere'

maximum of five special non-working days per calendar year and can have a maximum of five special days off pending in his/her account.

Alternatively, compensation for extra work can be a one-off payment subject to a specific agreement between the manager and the employee at year-end based on a comprehensive quantitative and qualitative assessment. Administration and Finance will inform union representatives of arrangements made for compensation for extra work.

6 APPROVAL OF TIME REGISTRATION

All employees continuously log their working hours in the timeregistration system and close the registration at month end, after which the respective line manager approves the employee's timeregistration.

7 STATEMENT OF WORKING HOURS

Clerical staff working hours are calculated at month end, while for other employee groups working time is calculated at each quarter end. The respective line manager is responsible for continuous follow-up with employees who are significantly below or above their monthly/quarterly norm.

8 WORK AT HOME

Sometimes it may be appropriate to work at home. Work at home must be agreed with the line manager. The employee must also inform the department/reception about when he/she can be contacted, which must be entered in the Outlook calendar. The extent and location of the work at home should make due allowance for cooperation with the rest of the organisation and external partners. An employee cannot be required to work at home.

9 MEDICAL APPOINTMENTS ETC. DURING WORKING HOURS

The employees should generally try to place medical visits etc. outside working hours. If this is not possible, it is general practice for the individual to get time off without salary deductions or deductions from flextime. This implies that the absence occurs so as to minimise any inconvenience to the Danish Institute for Human Rights.

10 COMMENCEMENT AND TERMINATION

The working hours agreement shall commence on 1 April 2014, superseding all central agreements on working time for employees of the Danish Institute for Human Rights.

The working hours agreement may be terminated at three months' notice. Thereafter, the centrally agreed working hours rules for the respective employee groups shall apply.

Copenhagen, 7th May 2014

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