

Policy on  
Out of Hours  
Working  
and  
Additional  
Payments to  
Staff.

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<sup>1</sup> This section will only apply where a business case has been provided to the Department of education and Skills and has been sanctioned by that Department. Business Cases must be approved in the first instance by the University Management Team Operations before transmission to the DES

<sup>2</sup> As for Footnote 1 above

## **POLICY ON OUT OF HOURS WORKING AND ADDITIONAL PAYMENTS TO STAFF**

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### **1. Policy Summary**

The Policy on Additional Payments to Staff and Out of Hours Working relates to additional teaching related duties or consultancy undertaken by staff of the University. Such payments for additional research, administrative and technical work are prohibited by the University irrespective of source of funding.

### **2. Scope of this Policy**

This policy applies to full time staff of the University who undertake teaching / course delivery duties for another unit or programme in the University or for their own unit or another unit out of hours including weekends. Staff are expected to work flexibly and efficiently and to maintain the highest professional standards in discharging their responsibilities. This policy does not apply to retired staff of the University. University policies governing Private Consultancy and Consultancy using “Devlin Time” are covered by the University Consultancy Policy which is available on the website of the Office of the Vice President for Research and Innovation.

### **3. Principles**

1. A staff member’s primary commitment is to the University in the first instance and then to his/her own School, Discipline or Unit and the full commitment of a staff member is owed to that unit and to the University as the employer.
2. The principle of additional payments to staff is based on the clear understanding that staff have, in the first instance, a full-time commitment to the duties of their post and enhancing the reputation of the University. Any additional duties undertaken must not, to the satisfaction of their Head of School or Discipline or Unit, in any way interfere with or detract from their performance of those duties or the reputation of the University.
3. This policy has regard to the application of the ‘One Person-One Salary’ principle as approved by Government
4. All payments under this policy are non pensionable.

### **4. Definitions**

**“Academic Workload Allocation Model”** means the AWAM approved for the University with which academic staff are required to comply.

**“Continuing Professional Development”** [CPD] means activities, courses or programmes which may be run by the University or on the University’s initiative, or for or on behalf of a professional body or bodies and which are aimed at increasing the skills or qualifications of a specific professional group external to the University.

**“Executive Education”** activities means curriculum and course design, preparation and delivery of lectures, seminars, counselling, advice and assessment duties related to programmes targeted at corporate entities or individuals who are not registered students of accredited programmes at UCC.

**“Head”** means the academic head of an academic unit [by whatever name titled] or the administrative/research head of an administrative/research unit [by whatever name titled] and shall include a person acting in the capacity of head. For the purpose of this policy, head shall also include a line manager with express authority delegated by the head to carry out the head’s duties under this policy.

**“Normal Duties”** for academic staff include research, teaching and contribution to School, College and University. As part of research duties, academic staff are required to engage in research, scholarship and other creative and innovative activity as appropriate to their discipline. They are required to disseminate research in academic publications, other outlets as appropriate and to participate in postgraduate supervision.

They are encouraged to engage in initiatives to seek research funding, as appropriate. They are also encouraged to promote and engage in the development of research across disciplines as well as in their own area of research. Participation in Summer Schools or Conferences on behalf of the School/Department/Unit is encompassed in this definition.

As part of normal teaching/course delivery duties, academic staff are obliged to give instruction and supervision, as directed by the Head of School/Discipline, to students of the University in courses and programmes organised by their School or to which the School contributes as a service to another School or College. Such duties include curriculum and course design, preparation and delivery of lectures, tutorials and general examination and other assessment duties. Staff are also expected to be available to students for academic counselling and advice. In some disciplines, academic activities may also include laboratory, workshop or clinical instruction, supervision of fieldwork, site visits and other off-campus activities.

As part of their contribution to the School, College and University academic staff are required to participate in academic administration at School, College and University levels. In representing the University externally, they are expected to maintain the highest professional standards so that the reputation of the University is enhanced.

**“Normal Duties”** for research/support staff means those duties which arise directly or indirectly from the staff members job description or responsibilities within the unit or the University and includes duties assigned by the Head in the normal course.

**“Performance Management and Development System” [PMDS]** means the Performance Management and Development System which is operative within the University at any time and which is subject to review and change from time to time.

**“Out of Hours”** for the purpose of this policy only means after 7.00 p.m. on weekdays or at weekends. Note the definition of “Out of Hours” in this Policy relates to the provisions of this Policy only and may not be extrapolated to any other Policy or Procedure of the University unless specifically linked thereto.

“**Primary Role**” means the role to which the staff member is contracted by the University and to which the full time attention of the staff member must be devoted.

“**Working Day**” means 8.00 a.m. to 7.00 p.m. Monday to Friday. Note the definition of “Working Day” in this Policy relates to the provisions of this Policy only and may not be extrapolated to any other Policy or Procedure of the University unless specifically linked thereto.

## **5. Recruitment**

In circumstances where opportunities for out of hours teaching/course delivery outside the School/Discipline/Unit for both academic and research/support staff arise, these opportunities must be advertised on the School/Discipline/Unit website for a minimum of one week. This is essential to ensure equal opportunity is provided for all staff to engage in this activity once the correct approvals are secured as outlined below. Informal interviews should be conducted at local level to ensure suitability for the assignment in question. All those involved in the engagement of staff under this policy must comply with the University’s Policy on Conflict of Interest in relation to Recruitment.

## **6. Teaching/Course Delivery within the School/Discipline - Out of Hours**

To ensure a fair allocation of work between teaching, research and service and to support the School/Discipline’s research goals, it is expected that work is being allocated to academic staff in accordance with the University’s Academic Workload Allocation Model. In relation to Out of Hours teaching on mainstream programmes within the School/Discipline, in the first instance workloads must be adjusted to run the programmes within allocated workloads. If a need is identified for external staff resources then this should be done in accordance with the University’s policy on the recruitment of Hourly Occasional Staff.

## **7. Teaching / Course Delivery Activity outside the School/Discipline/Unit within the Working Day**

### **Academic Staff**

1. Such teaching may only be undertaken with the express approval of the Head of the home School, Discipline or Unit.
2. Academic staff members must have agreed their workload under the Academic Workload Distribution Model with their Head who shall maintain appropriate records in that regard.
3. Teaching external to the School/Discipline/Unit may be included in the Academic Workload for that staff member
4. The staff member performance as assessed by the home Head and under the PMDS system must be satisfactory

5. Any fee arising for the teaching must accrue to the home School/Discipline/Unit and cannot be paid to or ring fenced for individual staff member(s).
6. Additional payments to staff for teaching during the Working Day are not permitted under this policy.
7. An annual report on teaching under this heading will be submitted to the relevant Head of College by the Head of School/Discipline/Unit in a format to be agreed by the University Management Team [Operations].

#### **Research/Support Staff**

1. Such teaching may only be undertaken with the express approval of the Head of the home School/Discipline or Unit.
2. The teaching must not interfere with the performance by the staff member of his/her duties in their Primary Role.
3. The staff member's performance as assessed by the home Head and under the PMDS system must be satisfactory.
4. Any fee arising for the teaching must accrue to the home School/Discipline/Unit and cannot be ring fenced for any staff member(s).
5. Additional payments to staff for teaching during the Working Day are not permitted under this policy.
6. An annual report on teaching/course delivery under this heading will be submitted to the Head of College/UMTO member by the Head of School/Discipline/Unit in a format to be agreed by the University Management Team [Operations].

**The section below will only apply where a business case has been provided to the Department of education and Skills and has been sanctioned by that Department. See footnote 1 Page 1.**

## **8. Teaching / Course Delivery Outside the School/Discipline/Unit - Out of Hours**

Such teaching or course delivery may arise on recognised evening programmes, on Adult Continuing Education Programmes or on University Continuing Professional Development Courses.

#### **Academic Staff**

1. Such teaching/course delivery duties may only be undertaken with the express approval of the Heads of the home Schools/Disciplines/Units [see Appendix 1]
2. The academic staff member must be undertaking a full workload under the AWDM.
3. The additional work must not interfere with the Normal Duties of the academic staff member in any way. Any decision on possible interference with Normal Duties shall be taken by and shall be at the sole discretion of the Head.
4. Such teaching shall be on Recognised Programmes only. Recognition shall be on the basis that the programme is specified in the University Calendar or is an approved ACE, Executive Education or CPD course.
5. The Head of the home Department/School/Unit will be required to verify in writing to the Head of Department/School/Unit delivering the course/programme that the work involved does not constitute normal duties and that an adequate contribution is being made by the staff member to research, teaching and academic administration in accordance with No. 7

below.

6. The staff member's performance as assessed by the Head and under the PMDS system must be satisfactory.
7. The academic staff member must be satisfied that the work will not compromise his/her contractual requirements, i.e. their responsibilities in relation to teaching, research and service in accordance with the Academic Workload Allocation Model.
8. Any additional payments to staff require advance approval in accordance with Section 25(4) of the Universities Act 1997.
9. Any such payment will not be pensionable but will be subject to statutory deductions.
10. Any fees [gross] paid to staff for Out of Hours teaching or programme delivery shall not exceed €10,000 in any calendar year.
11. Payments must be on approved hourly occasional staff rates only. [See Appendix 1]
12. The staff member must have an up-to-date signed return under the University consultancy Policy before approval of the Head can be given.
13. No payments can be made for additional duties unless the agreed procedures have been followed and the appropriate authorisation given. All applications must be accompanied by the Additional Payments Declaration Form confirming that the payment complies with all policy requirements and signed by the Head of College/UMTS member/VP Academic (CACE programmes).
14. An annual report on teaching and payments under this heading will be prepared and submitted by the Head to the relevant Head of College, Director of Human Resources and the Bursar and through the Bursar to the Finance Committee. Each Head of College/VP Academic (for CACE) must retain all supporting documentation to facilitate audit by Internal Audit and the Comptroller and Auditor General. This documentation must provide evidence of compliance with this policy.

### **Research/Support Staff**

1. Such teaching/course delivery duties may only be undertaken with the express approval of the Heads of both Schools/Disciplines/Units.
2. The additional work must not interfere with the Normal Duties of the research/support staff member in any way. Any decision on possible interference with Normal Duties shall be taken by and shall be at the sole discretion of the Head.
3. Such teaching shall be on Recognised Programmes only. Recognition shall be on the basis that the programme is specified in the University Calendar or is an approved ACE, Executive Education or CPD course.
4. The Head will be required to verify in advance to the Head of School/Discipline/Unit delivering the course/programme that the work involved does not constitute Normal Duties and that an adequate contribution is not interfering with the performance of Normal Duties by the support staff member.
5. The staff member's performance as assessed by the Head and under the PMDS system must be satisfactory.
6. The staff member must be satisfied that the work will not compromise his/her contractual requirements.
7. Any additional payments to staff require advance approval in accordance with Section 25(4) of the Universities Act 1997.
8. Any such payment will not be pensionable but will be subject to statutory deductions.

9. Any fees [gross] paid to staff for Out of Hours teaching or programme delivery shall not exceed €10,000 in any calendar year.
10. Payments must be on approved hourly occasional staff rates only. [See Appendix 2]
11. No payments can be made for additional duties unless the agreed procedures have been followed and the appropriate authorisation given. All applications must be accompanied by the Additional Payment Declaration Form confirming that the payment complies with all policy requirements and signed by the Head of College/VP Academic.
12. An annual report on teaching and payments under this heading will be prepared and submitted by the Head of College/UMTS member for staff of the college /unit approved to engage in out of hours working to the Bursar and Director of Human Resources and through the Bursar to the Finance Committee.
13. Each Head of College/VP Academic/Head of Unit (for CACE) must retain all supporting documentation to facilitate audit by Internal Audit and the Comptroller and Auditor General. This documentation must provide evidence of compliance with this policy.

## 9. Breach of Policy

Breach of any aspect of this Policy by a staff member or Head may result in the University invoking its Disciplinary Procedures as specified in the Principal Statute, Section F.

**The section below will only apply where a business case has been provided to the Department of education and Skills and has been sanctioned by that Department. See footnote 1 Page 1.**

## 10. Payment Procedures

Any additional payment must be claimed and approved in accordance with procedures outlined below..

- 10.1 Applications for additional payments under this policy must be made on the Additional Payments Declaration Form (APDF). An existing staff member wishing to undertake out of hours working is responsible for completing this declaration form.
- 10.2 **Section 1** of the form is completed by the staff member who will also sign a conflict of interest statement ensuring that the proposed additional hours do not cause a conflict of interest with their normal duties.
- 10.3 The staff member must then present the APDF to their line manager who will be required to complete **Section 2** and confirm that the proposed additional out of hours arrangement is within the policy.

- 10.4 The staff member must then present the form to the Manager in the hiring department who will confirm that the arrangement for out of hours working is within the policy and complete **Section 3**.
- 10.5 The staff member will then present the form to the Department of Human Resource who will review and approval the out of hour's arrangement in **Section 4**. Once approved the Department of Human Recourses will scan the APDF to Payroll, the line manager and the hiring department.
- 10.6 Payroll will then review, and complete **Section 5**. Monthly returns of hours will be returned to Payroll on the Monthly Timesheet and cannot exceed the total approved payment € value in Section 1 of the APDF.
- 10.7 In the event of the proposed additional payment not being in compliance with the policy or appropriate approvals omitted, the APDF will not be approved for payment and will be returned to the staff member.

The Appendices below will only apply where a business case has been provided to the Department of education and Skills and has been sanctioned by that Department. See footnote 1 Page 1.



UNIVERSITY COLLEGE CORK  
Coláiste na hOllscoile Corcaigh

ADDITIONAL PAYMENTS DECLARATION FORM

Section 1

**Current Employment Details**

Home School/Department/Unit \_\_\_\_\_ Position Title  
\_\_\_\_\_

Staff No. \_\_\_\_\_ Name: \_\_\_\_\_ FTE  
\_\_\_\_\_

**Proposed Out of Hours Assignment**

School/Department/ Unit \_\_\_\_\_ Position Title  
\_\_\_\_\_

Course/Programme Title: \_\_\_\_\_

Rates of Pay \_\_\_\_\_ Proposed hours per annum (approx.) \_\_\_\_\_

Out of Hours Work Pattern Details \_\_\_\_\_ Total Payment per  
annum € \_\_\_\_\_

**Conflict of Interest Statement**

*I confirm that the hours detailed above are out of hours and do not cause a conflict of interest with my current UCC contract of Employment*

Signed by Appointee: \_\_\_\_\_ Date: \_\_\_\_\_

SECTION 2

**LINE MANAGEMENT APPROVAL – HEAD OF SCHOOL/DISCIPLINE/UNIT**

I confirm that given the details of the out of hours working in delivering the course/programme outlined above this does not constitute normal duties and that the proposed additional hours are in accordance with the policy.

Signed by \_\_\_\_\_ Date: \_\_\_\_\_

**Section 3 Hiring Department Approval**

I confirm that this proposed payment complies with all the necessary policy requirements

Signed by \_\_\_\_\_ Date: \_\_\_\_\_

**Section 4 Department of Human Resources Approval**

Reviewed and Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**Section 5 Payroll Office : Office use only**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**UNIVERSITY COLLEGE CORK**

**HOURLY OCCASIONAL RATES OF PAY**

The Policy for Recruitment of Hourly Occasional Staff is detailed in Appendix I.

The 2011 Scales apply to all new entrants to the public sector on/after 1st January 2011.

The 2010 scales apply to all individuals employed in the public sector on 31st December 2010 and continuously thereafter. If a contractual break in service occurs on/after 1st January, 2011, then the 2011 scales apply.

A contractual break in service does not refer to any periods of approved unpaid leave nor to individuals rehired on annual seasonal contracts.

Effective 1st July, 2011 the National Minimum Wage increased to €8.65

**2010 SCALES**

Categories of Hourly Occasional Staff		01-Sep-08 T2016 2.5%	Budget 2010 01-Jan-10	
		€	€	
<b>A</b>	<b>Tutor/Demonstrator:</b>			
	Undergraduate Tutor and/or Demonstrator	13.11	12.45	per hour
	Postgraduate Tutor and/or Demonstrator			
	Demonstrating	19.11	18.15	per demonstrating hour
	Tutorial Work	25.73	24.44	per tutorial hour
	Senior Demonstrator	16082.64	15,278.51	per annum
	Senior Medical Demonstrator (Registered Students only)	28262.92	26,849.77	per annum
	Non-Registered Tutor and/or Demonstrator	24.81	23.57	per practical hour
	(non-registered students)	41.18	39.12	per tutorial hour
	Foreign Language Demonstrator	1684.26	1,600.05	per month (for 8 months)
<b>B</b>	<b>Hourly Occasional Assistant Lecturer</b>	47.93	45.53	per lecture hour
		41.18	39.12	per tutorial hour
		24.81	23.57	per practical hour
<b>C</b>	<b>Hourly Occasional Evening Lecturer* (See Note 3 below)</b>	65.60	62.32	per lecture hour
<b>D</b>	<b>Visiting/Guest Lecturer</b>	84.17	79.96	per lecture hour
		41.18	39.12	per tutorial hour
<b>E</b>	<b>Hourly Occasional Supervisors (Education Dept.)</b>	60.79	57.75	per supervision
<b>F</b>	<b>Student Help:</b>	9.59	9.11	per hour

**2011 SCALES**

Categories of Hourly Occasional Staff		01-Jan-11	
		€	
	<b>Tutor/Demonstrator:</b>		
	Undergraduate Tutor and/or Demonstrator	11.21	per hour
	Postgraduate Tutor and/or Demonstrator		
	Demonstrating	16.34	per demonstrating hour
	Tutorial Work	22.00	per tutorial hour
	Senior Demonstrator	13,750.66	per annum
	Senior Medical Demonstrator (Registered Students only)	24,164.80	per annum
	Non-Registered Tutor and/or Demonstrator	21.21	per practical hour
	(non-registered students)	35.21	per tutorial hour
	Foreign Language Demonstrator	1,440.04	per month (for 8 months)
	<b>Hourly Occasional Assistant Lecturer</b>	40.98	per lecture hour
		35.21	per tutorial hour
		21.21	per practical hour
	<b>Hourly Occasional Evening Lecturer* (See Note 3 below)</b>	56.09	per lecture hour
	<b>Visiting/Guest Lecturer</b>	71.97	per lecture hour
		35.21	per tutorial hour
	<b>Hourly Occasional Supervisors (Education Dept.)</b>	51.98	per supervision
	<b>Student Help:</b>	8.65	per hour

**ANNUAL LEAVE:** Please Note effective the start of the Academic Year (24th Sept '07) hourly rates are now exclusive of 8% annual leave entitlement. Please review [Note 1](#) for further information.

**Note 1**

Payment of hourly occasional staff will be based on the basic rate of pay only, exclusive of 8% annual leave entitlement. Unused annual leave entitlement should be paid on termination of the contract and should be calculated on 8% of total earnings with a department. Earning figures are displayed on monthly Pay Reports issued by the Finance Department. In the month of payment of annual leave, please return 8% of total earnings on the monthly Timesheet, highlighting this as an **Annual Leave Payment**.

**Note 2**