When overtime applies

An employer can request that an employee works reasonable overtime.

Overtime is when an employee works extra time. It can include work done:

- beyond their ordinary hours of work
- outside the agreed number of hours
- outside the spread of ordinary hours.

The spread of hours is the times of the day ordinary hours can be worked (e.g. between 7am - 7pm).

When overtime rates apply


Find information about when overtime applies in your award by selecting from the list below.

Reasonable overtime

An employer can request that an employee works reasonable overtime. Overtime can be reasonable so long as the following things are taken into account:

- any risk to health and safety from working the extra hours
- the employee’s personal situation, including their family responsibilities
- the workplace's needs
- if the employee is entitled to receive overtime payments or penalty rates for working the extra hours
- if they are paid at a higher rate on the understanding that they work some overtime
- if the employee was given enough notice that they may have to work overtime
- if the employee has already stated they can’t ever work overtime
- the usual patterns of work in the industry.

An employee can refuse to work overtime, if the request is unreasonable.

It is important that health and safety issues are considered and managed if an employee has to work overtime. A guide to help you consider the health and safety implications of an employee working long hours is available on the Safework Australia (http://www.safeworkaustralia.gov.au/sites/SWA) website.


Think a mistake might have been made?

Mistakes can happen. The best way to fix them usually starts with talking.

Check out our Help resolving workplace issues (www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default) section for practical advice on:

- figuring out if a mistake has been made
- talking to your employer or employee about fixing it
- getting help from us if you can’t resolve it.

What to do next

- Calculate overtime rates using our Pay Calculator (http://calculate.fairwork.gov.au/FindYourAward)
- Record your hours of work using our Record My Hours app (www.fairwork.gov.au/how-we-will-help/how-we-help-you/record-my-hours-app) or the Time sheet (DOC 77.5KB) (www.fairwork.gov.au/ArticleDocuments/766/Timesheet-template.doc.aspx) template
- Learn about maximum hours and spread of hours at Hours of work (www.fairwork.gov.au/Employee-entitlements/hours-of-work-
Help for small business


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