

WHAT AM I ENTITLED TO

If I am required to work on a rostered rest day?

The first thing to consider before answering this question is the amount of notice you received, advising you of the requirement to work.

If the you received more than 15 days notice of the requirement to work on your rest day, that day becomes a normal working day and no overtime is payable. Under these circumstances you must be advised within 4 days when this day will be re-rostered [1]. If the rest day is not re-rostered within that timescale, the day should be re-rostered to a time convenient to officer and supervisor. In any event, supervisory officers should give consideration to the wishes of individual officers when re-rostering rest days [2].

If you received less than 15 days notice of the requirement to work on your rest day [3], you are entitled to claim for a minimum of 4 hours overtime [4] plus one hours travelling time [5]. If you work beyond 4 hours, you are entitled to claim, as overtime, the number of hours actually worked. You continue to be entitled to claim travelling time of one hour if you work less than 6 hours. After 6 hours work, no travelling time is payable [6].

The appropriate rate at which to claim overtime is as follows. If you receives less than 15 days but more than 5 days notice, the rate is time and a half. If you receive less than 5 days notice, the rate is double time [7].

In calculating the amount of notice given, the day after you were told shall count as the first day and the day, which was to have been a rest day, shall not be counted in the total [8].

For administrative ease many stations take the decision not to cancel rest days, even if more than 15 days notice of the requirement to work are known. In these circumstances local agreements exist to deal with payment of overtime, that appear to suit both officer and station. Whilst not condoning this practice, it has absolutely no basis in regulations.

- [1] Regulation 26 Police (Scotland) Regs 2004, Annex H 1(a)(ii)
- [2] PNB Circular 93/12 (Advisory)
- [3] Regulation 26 Police (Scotland) Regs 2004, Annex H 1(a)(i)
- [4] Regulation 26 Police (Scotland) Regs 2004, Annex H (3)(h)
- [5] Regulation 26 Police (Scotland) Regs 2004, Annex H (3)(i)
- [6] Regulation 26 Police (Scotland) Regs 2004, Annex H (3)(i)(i) and (ii)
- [7] Regulation 26 Police (Scotland) Regs 2004, Annex H 1(c)(i)and (ii)
- [8] JCC Circular 78/1994

Please note. These guides can only be guaranteed as accurate on the date shown. The principal source of reference on regulatory matters are the Police (Scotland) Regulations 2004. Issued by the Northern Joint Branch Board, Scottish Police Federation. 1st October 2004.