

## UNION FACT SHEET 15

## Supervisors in Receipt of a Flexibility Allowance – Access to Overtime

## Queensland Ambulance Service Employees

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**What the Clause Means**

Supervisors who receive a Flexibility Allowance are now explicitly recognised as being eligible to perform and be paid for overtime in certain circumstances.

The Certified Agreement 2025 introduces new wording to make this clear:

- “Access to such overtime will not be unreasonably withheld, taking into account the normal practices for providing overtime to employees.” Clause 26.13.11

This represents an important improvement in fairness and transparency for supervisors who often contribute directly to operational delivery beyond their normal working hours.

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**What the Law Says**

Under the Industrial Relations Act 2016 (Qld), overtime must be paid for any authorised work performed outside the ordinary span of hours unless a specific requirement of the Flexibility Allowance Clause.

The Work Health and Safety Act 2011 (Qld) also places a duty on QAS to manage fatigue and workloads reasonably. Supervisors cannot be expected to absorb additional hours indefinitely under a “flex” arrangement if it creates risk or inequity.

This clause ensures that access to overtime remains consistent with these legislative protections and industrial principles.

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**How It Works****Who it applies to:**

- Supervisors or managers in receipt of a Flexibility Allowance, including:
- Other employees covered by an approved Flexibility Allowance arrangement.

**When overtime applies:**

- When a supervisor performs operational duties outside their ordinary hours, that is not part of their specific Flexibility Allowance arrangements.
  - When engaged to provide shift coverage, or operational response;
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**When Overtime does not apply:**

- When a supervisor performs duties outside their ordinary hours, that is part of their specific Flexibility Allowance arrangements.
  - Nothing within this clause precludes the Supervisor from accessing TOIL/balancing hours arrangements for performing specific Flexibility Allowance arrangements duties outside of normal rostered duty hours.
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**Key change:**

The new clause wording ensures access to overtime cannot be unreasonably refused, provided the request aligns with the normal practices for overtime approval across QAS.

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**Purpose of the clause:**

The clause is not a budget management tool or a means to reduce operational costs.

It is designed to ensure proper oversight of overtime approvals and maintain industrial and ethical governance.

Supervisors cannot approve their own overtime, but must have it verified and authorised by a senior officer — providing transparency and protecting the employee from claims of impropriety or “contrivance.”

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**Why It Matters**

Supervisors play a critical role in maintaining service delivery, especially during surge periods, hospital delays, and end-of-shift operational coverage.

- This clause ensures:

- Supervisors are not unfairly denied overtime when performing operational duties;
- The process for approval is transparent and fair; and
- QAS management cannot misuse this clause to artificially cap overtime or shift workload risk onto salaried officers.

This clause provides both protection and fairness — overtime access must be reasonable, consistent, and accountable.

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## Union Tip

**If you're a Supervisor receiving a Flexibility Allowance:**

- 1. Record all additional hours worked beyond your normal span.**
- 2. Seek overtime approval through the correct reporting line — do not self-approve.**
- 3. Keep written confirmation or documentation of senior approval.**
- 4. If overtime access is refused, request written reasons and contact your union delegate.**
- 5. Remind management that the clause explicitly states overtime cannot be unreasonably withheld.**

**This provision isn't a favour — it's a safeguard.**

**Supervisors deserve fair access to overtime, with transparency and without stigma.**