

Time off in lieu (TOIL) is an alternative to paid overtime that can benefit both employers and employees.

Fluctuations in operating hours in every business cannot always be predicted, and sometimes out of necessity employees are required to work beyond their contracted hours. There are manageable alternatives to paid overtime that can benefit both employers and employees alike.

The benefits to an employer may not seem obvious at first, however, employers generally get to influence when the time can be taken, and this can be in quieter periods so output is not compromised.

Awarding employees with time back rather than pay can help reduce the probability of work-related stress, and therefore, can reduce time taken off work for medical reasons.

TOIL has to be a mutual agreement between employer and employee and is advised to be a signed agreement. There is no legal right to be paid for extra hours worked, although the payment must not be less than the minimum wage when divided by the hours worked, therefore, TOIL is a viable alternative.

*TOIL is part of the EU Working Time Directive, of which a central theme is that no employee can be made to work more than 48 hours a week without prior written agreement.*



## Managing TOIL

- It is important to keep records of hours worked accurate; lie time can be calculated
- Performance reviews will help employees who are underperforming in order to accrue more TOIL.
- Employers and employees can agree a maximum amount of time that can be taken back within a month with no monthly rollover period

**This fact sheet is for information purposes only.**

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