

General People's Committee
Decree No. (311) of 1377 FDP (2009 AD)
on regulating overtime

The General People's Committee,

Upon review of:

- Law No. (1) of 1375 FDP on the rules of procedure of the People's Congresses and the People's Committees, and the implementing regulations thereof;
- Law No. (55) of 1976 AD on the civil service, amendments thereto, and the implementing regulations thereof;
- The General People's Committee Decree issued on 09/11/1977 AD issuing the regulations governing overtime for workers in administrative units;
- General People's Committee Decree No. (252) of 1374 FDP on staffing and job performance rates at public administrative units;
- The decrees issued by the General People's Committee in its sixteenth ordinary meeting of 1377 FDP (2009 AD);

has decreed:

Article (1)

When necessary and with the approval of the secretary of the general people's committee for the competent sector, additional work may be approved for workers in public administrative units after official working hours to compensate for incomplete staffing at the administrative units, to perform additional competencies, or to complete works of an urgent and important nature that cannot be completed during official working hours.

Overtime shall apply to all workers at the administrative unit irrespective of their job level.

Article (2)

In order to receive compensation for overtime, the following conditions must be met:

- a. The percentage of employees assigned to work per month may not exceed 20% of the administrative unit's workers.
- b. Overtime hours may not exceed three (3) hours per day, and the overtime assignment period may not exceed three months in one financial year.
- c. Overtime hours may not be connected to official working hours; there must be a break of at least one hour between them.

Article (3)

Employees at public administrative units may not be assigned to perform overtime on weekends or official holidays.

Article (4)

Public administrative units shall keep a special record to record the arrival and departure time of employees assigned to perform work outside official working hours. The competent department or office director shall be responsible for determining the hours of work performed outside official working hours for each employee assigned to such and submit it along with the other documentation to the body responsible for disbursement.

Article (5)

Employees shall be entitled to double the hourly wage they receive during official working hours for each hour of overtime they perform.

Article (6)

Additional work hours shall be calculated as follows:

- a. One month shall be deemed to be thirty days.
- b. The employee's basic salary shall be divided by thirty (30) to determine the daily wage.
- c. The daily wage shall be divided by seven (7), the number of hours in the official workday, to determine the hourly wage.
- d. The normal hourly wage shall be doubled to determine the hourly wage for overtime.
- e. Total earnings for an employee's overtime hours shall be disbursed monthly.

Article (7)

The competent director of the office or department at the public administrative unit shall complete the request form attached to this Decree for approval of overtime hours. If approved by the direct supervisor or person acting in his place, the public administrative unit official shall use the form as a basis for disbursing work compensation, provided compensation for overtime is not disbursed until approved by the Secretary of the General People's Committee for the competent sector, or the person holding authority for overtime disbursement at the concerned public administrative unit.

Article (8)

The competent director of the office or department shall submit to their direct supervisor, when requested, a follow-up report on the work performed outside official working hours, including its financial cost. A copy of this report shall be forwarded to the Public Employment and Administrative Organisation Department at the General People's Committee to understand the outcomes and take such into consideration when studying modifications to the administrative unit's staffing, whether by adding or modifying as needed, as well as in relation to establishing training programs to improve the competence of the administrative unit's employees.

Article (9)

The Planning and Financial Sector shall determine the estimated financial allocations necessary for overtime and enter it into the budgets of the public administrative units, taking into consideration the following:

- a. Calculation of a maximum of 20% of the employees charged in the administrative unit's approved staffing as candidates for performing overtime work.
- b. The number of approved staffing positions occupied.
- c. The competencies and works added to the public administrative units that do not fall within the ordinary competencies and works assigned thereto.

Article (10)

This Decree shall enter into force on 01/01/1378 FDP (2010 AD) and any provision that conflicts herewith shall be repealed. This Decree shall be implemented by the competent bodies.

The General People's Committee – Libya

Issued on: 07 Rajab

Corresponding to: 29/06/1377 FDP (2009 AD)