

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

Title: Flexible Work Schedule Program

Number: 402.1

Date: 10/13/04

Originating Office: Human Resources Division, Policy Branch, AFM/ARS

This Replaces: REE P&P 402.1 dated September 16, 1997

Distribution: All REE Employees

This P&P establishes the work schedules for the REE agencies. These include the traditional schedule, flexitour schedule, and the maxiflex schedule.

Table of Contents

Table of Contents	2
1. Introduction	3
2. Tour of Duty	3
3. Basic Work Requirement	3
4. Time Bands	4
Core Time	4
Flexible Time	4
Gliding Time	4
Customer Service Time	5
Meal Time	5
Breaks	5
5. Schedules	6
Flexitour Schedule	6
Maxiflex Schedule	6
Training Schedule	7
6. Credit Hours	7
7. Time Accounting	8
8. Summary of Responsibilities	9
Agency Heads	9
Supervisors	10
Employees	11
Timekeepers	11
9. Glossary	11

1. Introduction

This Policy and Procedure (P&P) sets policy, assigns responsibility, and explains the rules and procedures regarding hours of duty in the Research, Education, and Economics (REE) mission area. REE is comprised of the Agricultural Research Service (ARS); Cooperative State Research, Education, and Extension Service (CSREES); Economic Research Service (ERS); and National Agricultural Statistics Service (NASS). There are multiple work scheduling options designed to meet both management and employee needs. The scheduling flexibility will improve not only the quality of our customer service, but also the personal lives of employees. However, the individual choices available to employees are possibilities, not entitlements. No one has an inherent right to a particular work schedule. Furthermore, because supervisors must ensure office coverage during customer service hours, individual preferences must be secondary. Employees will have to adjust their schedules to meet work requirements as determined by the supervisor or manager. Due to varied work requirements, employees may not all be accommodated in the same manner.

Locations having union bargaining units must contact the Labor Relations Specialist in the Employee Relations Branch, Human Resources Division (HRD), before implementation of or changes to the Flexible Work Schedule Program.

2. Tour of Duty

Under flexible schedules, the tours of duty are the limits set by the agencies within which employees must complete their basic work requirements.

ARS: The basic tour of duty extends from 0000 (midnight) Sunday morning and ends at 2400 (midnight) Saturday night of the second week of the pay period. As such, it may involve a basic work requirement on Saturdays, Sundays, or nights. Full-time employees who perform regularly scheduled non-overtime work during a period of duty, part of which is performed on Sunday, are entitled to Sunday premium pay for the entire period of work, up to 8 hours.

CSREES and ERS: The basic tour of duty extends from 0600 (6 a.m.) to 1800 (6 p.m.) daily, Monday through Friday.

NASS: The basic tour of duty extends from 0630 (6:30 a.m.) to 1800 (6 p.m.) daily, Monday through Friday.

3. Basic Work Requirement

The basic work requirement of a flexible work schedule is the number of hours, excluding overtime hours, employees are required to work or otherwise account for by leave, credit hours,

holiday hours, excused absence, compensatory time off, or time-off award hours. Full-time employees must work 80 hours during a biweekly pay period. Agencies may also establish daily or weekly basic work requirements, (e.g., set a maximum of 8-12 hours a day). A part-time employee works fewer hours than a full-time employee within a specified period of time as determined by the conditions of employment.

4. Time Bands

Core Time

Core time is that part of the schedule of hours during the workday, workweek, or pay period that is within the tour of duty and during which employees must be present at work or on leave.

ARS: The setting of core time is delegated down the supervisory chain of command. There are no Agencywide core times set. If a core time is set by subordinate supervisors, the employee(s) must be given a minimum of 7 days advance notice.

CSREES, ERS, and NASS: The core times are 0900 (9 a.m.) to 1530 (3:30 p.m.), Monday through Friday.

Flexible Time

Flexible times are the hours during the workday, workweek, or pay period that are within the tour of duty and during which employees may choose to vary their times of arrival to and departure from the work site.

ARS: The designation of flexible time is delegated down the supervisory chain of command. There are no set Agencywide flexible times.

CSREES and ERS: The flexible times are 0600 (6 a.m.) to 0900 (9 a.m.) and 1530 (3:30 p.m.) to 1800 (6 p.m.).

NASS: The flexible times are 0630 (6:30 a.m.) to 0900 (9 a.m.) and 1530 (3:30 p.m.) to 1800 (6 p.m.).

CSREES, ERS, and NASS: The flexible time may be extended to 1830 (6:30 p.m.) solely for the purpose of earning credit hours, if the supervisor so approves.

Gliding Time

Gliding times are the minutes during the flexible time that employees may vary arrival and departure times on a daily basis. Employees must still account for all hours scheduled to be worked that day through hours worked or some type of paid or unpaid leave.

ARS: The setting of gliding time is delegated down the supervisory chain of command. There is no set Agency limit on the amount of gliding time permitted.

CSREES and NASS: A deviation of 15 minutes (or more with advance supervisory approval) in the start and end time is allowed if it is contained within the flexible time bands.

ERS: Employees may glide a maximum of 30 minutes as long as it is contained within the flexible time bands. Any deviation beyond this 30 minute limit requires advance supervisory approval.

Customer Service Time

The hours during which all offices must have phone coverage and technical assistance available are standard throughout REE. This band must be no less than 8 ½ hours between 0800 (8 a.m.) and 1700 (5 p.m.), Monday through Friday. All work units are encouraged to make arrangements with other work units in providing this coverage and to include part-time employees in considering alternatives for providing coverage during the required hours. Since this requirement may restrict the degree of scheduling choices an employee may have, supervisors are encouraged to avoid requiring the same worker to maintain a schedule throughout the entire year to meet customer service requirements.

ARS: Electronic answering equipment may be used to provide this service if there is a commitment that the customer will be contacted within 24 hours.

Meal Time

ARS: Meal time or an unpaid break of no less than 30 minutes is required for each 7 hours or more of work. This break may not be at the beginning or end of the workday. Length of meal or unpaid break and when taken are dependent on supervisory approval (as delegated down through the chain of command).

CSREES, ERS, and NASS: Meal time or an unpaid break of 30, 45, or 60 minutes is required for more than 5 hours of work and must be scheduled between 1100 (11 a.m.) and 1400 (2 p.m.). This break may not be at the beginning or end of the workday. Length of meal or unpaid break is dependent on supervisory approval.

Breaks

There is no inherent right to a paid break during working hours. Units and locations where unions have negotiated on this matter will abide by their negotiated agreements.

5. Schedules

Supervisors approve work schedules by signing and dating the employee's timesheet form. Supervisors may alter the employee's previously agreed to schedule when necessary, but must provide at least 7 days advance notification of the change to the employee.

Supervisors shall initiate a revised schedule for an employee, if over 3 pay periods the employee, with supervisory approval, has established a pattern of work that is expected to continue and is different from their previously approved schedule. For part-time workers, an SF-52 (Request for Personnel Action) is required when a change is made to the number of hours the employee works during the biweekly pay period.

Flexitour Schedule

A flexitour schedule consists of 8 hours a day, 40 hours per week, and 80 hours in a biweekly pay period. The flexible hours surrounding the core hours are discussed in Section 4, Time Bands. Employees must account for missed core hours, if permitted, with leave, credit hours, compensatory time off, or time off as an award. Employees select their arrival and departure times subject to management approval.

Maxiflex Schedule

Maxiflex is a flexible schedule that contains core hours on fewer than 10 workdays in the biweekly pay period and in which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period; e.g., Schedule 1 example - a biweekly period of eight 10 hour days and two off days; and Schedule 2 example - a biweekly period of eight 9 hour days, one 8 hour day, and an off day. An employee may vary the number of hours worked on a given workday, or the number of hours each week within the limits established by supervisory chain of command determinations.

Part-time employees may also select a maxiflex schedule. However, with supervisory approval and as permitted under a maxiflex schedule, a part-time employee can deviate from the hours documented on the SF-52 as long as the total number of hours worked remains the same. If the number of hours to be worked changes, and the change is expected to continue, a new SF-52 must be submitted as mentioned above.

ARS: Employees may propose a variety of maxiflex options, varying the hours, days, or weeks, including those shown above, as long as they have management approval. Employees select start and end points within their flexible times, subject to any agreements made with the union.

CSREES, ERS, and NASS: Employees may select maxiflex option Schedule 2 example (as shown above) with employees selecting start and end points within their flexible times, subject to management approval.

CSREES and ERS: Employees may also select maxiflex option Schedule 1 example (as shown above) with employees selecting start and end points within their flexible times, subject to management approval.

Training Schedule

Management should change an employee's schedule during pay periods when 3 or more days of training are to take place. Since most training is limited to no more than 8 hours per day, it is strongly recommended that the schedule for that pay period also reflect 8 hour days. It also eliminates the need for employees to make up or otherwise account for the additional hours in their schedule (e.g., a scheduled 9 or 10 hour day).

Note: Employees are entitled to an advance notice of 7 days for any schedule change.

6. Credit Hours

Credit hours are all hours in excess of an employee's basic work requirement which the employee **elects to work** and the **supervisor approves** so as to vary the length of the workweek or a workday. However, when an employee is directed by management to work beyond their basic work requirement, overtime or compensatory time must be granted (See P&P 402.3, Premium Pay). Depending on the supervisor's preferences, credit hour approval may be given before (pre-approval) or after (post-approval) the credit hours are worked.

Up to 24 credit hours may be carried over from one pay period to the next, or from one leave year to the next. Any credit hours in excess of 24 at the end of a pay period will be forfeited. Part-time employees may carry over an amount equal to 1/4 of their biweekly work schedule, (e.g., a part-time worker with a biweekly tour of duty of 40 hours would be able to carry over 10 hours of credit time from one pay period to the next.) Any unused credit leave must be paid at the current hourly pay rate when an employee leaves REE and is unable to transfer them, or separates from Federal service. Supervisors should encourage employees to use credit hours already earned prior to separation from Federal service. It may be the policy of the manager/supervisor to require that credit hours be used before annual leave.

Credit hours may be earned and used in as little as 15 minute increments.

Credit hours may not be used before they are earned. They may not be earned or used by Senior Executive Service or Intermittent employees.

Employees may work credit hours on days where paid leave is also taken.

Credit hours may not be earned on a holiday unless the credit hours worked are outside the employee's regular tour of duty.

Credit hours may not be earned while an employee is traveling (in transit). Travel time is not considered to be voluntary, and therefore does not meet the credit time definition of “electing to work.”

ARS: Employees may earn credit hours on any day or night of the week, with supervisory permission. There are no Agencywide restrictions on how many, where, or when credit hours may be earned on a given day.

CSREES: Employees may earn up to: 2 credit hours on 8 hour workdays; 1 credit hour on 9 hour workdays; no credit hours on 10 hour workdays and; 10 credit hours on scheduled off day(s) under a maxiflex schedule. A special management approval is required to work credit hours on weekends. All credit hours worked and used require supervisory approval. Credit hours may only be earned on weekdays from 0600 (6 a.m.) until 1830 (6:30 p.m.). All credit hours worked must have supervisory approval in advance.

ERS: Employees may work a maximum of 2 hours for credit per day with supervisory approval. Employees on maxiflex schedules may, with supervisory approval, earn any number of credit hours on their regular day(s) off. Credit hours may only be earned on weekdays from 0600 (6 a.m.) until 1830 (6:30 p.m.). Employees will automatically (unless approval is rescinded) be post-approved for up to 1 hour of credit worked on days when 8 or 9 hours are scheduled.

NASS: Employees may earn up to 1 credit hour on days they have a scheduled 8 or 9 hour workday, but they may earn up to 9 credit hours if they work on a scheduled off day. All credit hours worked and used require supervisory approval. Credit hours may only be earned on weekdays from 0630 (6:30 a.m.) until 1830 (6:30 p.m.). All credit hours worked must have supervisory approval in advance.

7. Time Accounting

In REE, each agency has established its own time accounting system. Regardless of the system, it must have: a supervisory approved schedule in daily hours that they are to be worked; an accounting of all paid work including overtime, unpaid leave, the earning of compensatory time off, time-off awards, credit hours; and allowances, differentials, etc. Fifteen minute increments is the smallest measurement to record time worked and time on leave.

As determined by the agency or approving supervisory official, scheduled hours can be indicated on the timesheet by the number of hours (Example 1: 8 hours for Monday; 9 hours for Tuesday, etc.) to be worked on each day of the biweekly pay period, or the hours to be worked each day can be defined by showing starting and ending work times (Example 2: 7:30 a.m. to 4 p.m. for Monday; 8 a.m. to 5:30 p.m. for Tuesday, etc.).

If only the number of scheduled hours is shown on the timesheet (Example 1 above), the employee must in some way account for the times they were at work. This can be accomplished by signing in and out at the start and end of their daily tours of duty by using a centrally located log, or by making entries on their timesheet, or by some other method acceptable to the

supervisor. Supervisors may also use the above methods to account for the employee's actual in and out work times even though the timesheet shows the employee's scheduled in and out times for each day.

8. Summary of Responsibilities

Agency Heads

- Establish a flexible work schedule program and the agency's official tour of duty.
- Monitor effectiveness of flexible work schedules to ensure there is no adverse agency impact.
- Discontinue or modify flexible work schedule programs if adverse agency impact is found.

ARS (Headquarters Staff Heads/Area Directors)

- Each management official directly reporting to the Agency head is delegated the authority to establish or disestablish a flexible work schedule. Each has the authority to redelegate or rescind all or any segment of these schedules to or from any subordinate level supervised. Subsequent subordinate supervisors, upon redelegation from management officials above, have the authority to redelegate or rescind all or any segment of this schedule through the supervisory chain to first line supervisors, e.g., approval or disapproval of the workweek and workday, the use of credit hours or gliding time, and the use of off days.

CSREES (Deputy Administrators)

- Approve, in writing, any starting or ending times outside the flexible bands that are necessitated by work priorities. (Convenience to the employee is not a factor in granting exceptions.)
- Resolve scheduling differences.
- Approve or disapprove work schedules proposed by employees.
- Set employees' basic work requirements, if they disagree with the work schedules proposed by employees (may not schedule employees to work more than 8 hours a day, 5 days a week, except in the case of regularly scheduled overtime).
- Change employees' previously agreed to work schedules because of work requirements. This includes changing a maxiflex off day due to critical job assignments. The alternative off day must be scheduled during the same pay period. Employees must be

notified of work schedule changes 7 days in advance.

- Approve or disapprove employees' requests to change their off days under a maxiflex schedule. The alternative off day must be scheduled during the same pay period.

ERS - Division Directors/NASS - Deputy Administrators

- Approve, in writing, any starting or ending times outside the flexible bands that are necessitated by work priorities. (Convenience to the employee is not a factor in granting exceptions.)
- Resolve scheduling differences.

Supervisors

REE

- Plan and organize work assignments of staff to use flexible schedules efficiently.
- Schedule meetings within core times when possible.
- Ensure office coverage during customer service hours.
- Approve or disapprove the earning and using of credit hours.
- Initial or sign the time and attendance system printout report to certify that the data is correct.
- Have the authority to set employees' work schedules, even if this does not agree with the work schedules proposed by employees. However, supervisors cannot require an employee to work a maxiflex schedule.
- Approve or disapprove any schedule proposals by signing and dating the schedule section on the timesheet form. If using an electronic timesheet, must have filed memo in place.
- Approve or disapprove the use of credit hours or gliding time to vary the duration of daily working hours, employee's arrival and departure times, or their off days.
- Assure workdays and workweeks meet the core time, if established, and the specific coverage for the customer service time.
- Coordinate and maintain the work schedules of their staff, especially ensuring that when safety and health considerations so dictate, that there must be more than one employee present.

- Supervisors may alter the employees' previously agreed to schedule when necessary, but must provide at least 7 days notification of the change to the employee.
- Ensure that all employees have approved schedules and work their established tours of duty.
- Exclude from flexible schedules those positions incompatible with flexible schedules and employees who abuse the use of flexible schedules.
- Adjust work schedules when necessary to provide for special events, e.g., meetings, team efforts, special staffing situations, training, etc.

Employees

REE

- Submit a request to the supervisor for a work schedule or tour of duty change. Requests must be submitted in advance and in writing.
- Work with management to select work schedule options that best serve the interests of their agencies and the public.
- Understand the hours of duty requirements, inquire about unclear items, and suggest changes to management.
- Accurately complete, on a daily basis, their agency time accounting form.
- Initial the time and attendance system printout report to certify that the data is correct.

Timekeepers

- Accurately complete the T&A from form REE-331, CSREES work schedule form, NASS automated T&A system, or other required time accounting form.
- Bring apparent discrepancies, such as unapproved overtime or unreported leave, to the supervisor's attention before the final T&A is submitted.
- Retain T&A Reports, time and attendance logs, and supporting documents for 6 years.
- Initial the time and attendance system printout report.

9. Glossary

Intermittent Employees. Employees who serve without a regularly scheduled tour of duty. Thus, there should be no master schedule filled out for them. Only a record of their total hours present should be recorded.

Part-Time. Basic work requirements of less than 80 hours in a pay period which must be itemized by day and times on the timesheet and form SF-52, Request for Personnel Action.

Time Accounting. This is a system which provides the supervisor with a record of time worked that entitles employees to their pay. The manager/supervisor may require that employees keep track of the beginning and ending time of each day's work.

James H. Bradley
Deputy Administrator
Administrative and Financial Management