
CENTER DIRECTOR

Alternate Work Schedules (AWS) for the Regulatory Policy Staff

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PURPOSE This MAPP describes policies and procedures governing the Alternate Work Schedules program for the Regulatory Policy Staff.

BACKGROUND

- The AWS program provides individuals with the flexibility to schedule their work time to accommodate their needs as long as it does not materially disrupt the conduct of the Center's business.
 - FDA has revised its policies regarding core hours and flexible bands. CDER's AWS program is described under MAPP 4657.1. This MAPP provides the policies and guidelines for the implementation of AWS for the Regulatory Policy Staff (RPS), as required under MAPP 4657.1.
 - The implementation of AWS must not undermine the effectiveness and efficiency of the RPS. At the same time, we want to allow employees the maximum flexibility in arranging work schedules. This AWS plan represents an effort to balance these two objectives.
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REFERENCES

- CDER MAPP 4657.1, “Alternative Work Schedules”
 - CDER MAPP 4657.3, “Overtime Policy”
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DEFINITIONS

- **Alternative Work Schedules.** Any work schedule other than a designated fixed work schedule.
- **Basic Work Requirement.** The number of hours an employee is regularly scheduled to work, i.e., full-time employees, 8½ hours a day, 40 hours in a week or 80 hours in a biweekly pay period; for part-time employees, fewer than 40 hours (but not less than 16 hours or more than 32 hours) in a week or fewer than 80 hours in a biweekly pay period.
- **Core Hours.** The time during the workday during which an employee covered by a flexible (not compressed) work schedule must be present for work. (Note: Official business hours for CDER and RPS are 8:00 am to 4:30 pm, Monday through Friday. Core hours for RPS are from 9:30 am to 3:30 pm., Monday through Friday)
- **Credit Hours.** Hours worked in a day in excess of the basic work requirement.
- **Flexible Bands.** The time band during the workday during which an employee may choose to vary the times of arrival to and departure from the work site. These time frames also provide the time bands in which credit hours may be earned. Flexible bands also define the times on weekends during which credit hours can be earned.
- **Maxiflex (a.k.a. flexitime).** Work is performed within the designated flexible band of hours and employees must be present for work or on approved leave during core hours. Employees are allowed to earn credit hours during the flexible bands. Employees are allowed, with written supervisory approval, to earn credit hours outside the flexible bands.
- **Overtime Work.** Work that is officially ordered and approved in advance for a specifically defined project and performed outside the employee's official work schedule.

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- POLICY**
1. The maximum flexible bands that can be permitted for the Regulatory Policy Staff are as follows:

Maxiflex Schedule:

Mon through Fri: 6:00 a.m. to 9:30 a.m.; 3:30 p.m. to 9:00 p.m. (core hours = 9:30 a.m. to 3:30 p.m.)

Sat & Sun: 6:00 a.m. to 7:00 p.m. (Only credit hours up to a maximum of ten credit hours per weekend may be earned during these times. More may be earned with written supervisory approval).
 2. Routine working hours (i.e., "business hours") for RPS are 8:00 a.m. until 4:30 p.m., Monday through Friday (and these are also official business hours for FDA).
 3. Employees are expected to be available for meetings or other business designated by the supervisor during business hours even if their attendance would interfere with their normal work schedule. Meeting times, training times, etc., are not defined by the core hours but can be scheduled to accommodate agency or CDER needs.
 4. Most full-time and part-time employees are eligible to participate in a maxiflex work schedule. In all cases, the maxiflex schedule options available to employees will depend on coordinating employee schedules so that adequate office coverage is maintained and work operations are not hindered. For part-time employees, time worked in excess of the scheduled tour may be recorded as credit time.
 5. RPS employees are not allowed to work a compressed work schedule.
 6. Credit hours may not be earned by Commissioned Corps Officers, SES employees, or Title 38 employees. However, employees in these categories are permitted with supervisory approval to adjust their core hours within the limits defined by MAPP 4657.1 in order to receive credit for an 8½ hour workday or portions thereof.
 7. For eligible full-time employees, up to 3 hours of credit time may be earned in a normal workday (Monday through Friday.) More time may be earned

with written supervisory approval. For eligible part-time employees, up to 2 hours of credit time may be earned in a normal workday. A maximum of 24 credit hours may be accumulated and carried forward from one pay period to the next for **full-time employees only**. Part-time employees may carry forward credit hours up to $\frac{1}{4}$ of their official tour of duty as recorded on their SF-50. Any credit hours in excess of the amount allowed to be carried forward to the next pay period are lost. Credit hours must be earned in advance and, with the advance approval of the supervisor, may be used just like annual leave. Credit hours do not convert to pay.

8. Time off during an employee's basic work requirement must be charged to the appropriate leave category. The minimum charge for leave is one-quarter hour and additional charges are in multiples thereof. All employees will be required to account for their time through use of a designated time accounting system, i.e., a time clock, sign in/out system. Employees must not sign or punch time clocks for other employees.
9. In all cases, the AWS options available to employees will depend on coordinating employee schedules so that adequate office coverage is maintained and work operations are not hindered. An employee's participation in AWS may temporarily be withdrawn or modified by a supervisor for a specified period because of an expanded workload. Barring an emergency, employees should be notified at least one week in advance of such a withdrawal or modification.
10. Overtime work must be approved in advance and must be in excess of the employee's scheduled tour of duty. SES, Commissioned Corps and Title 38 employees are not eligible to earn overtime.

RESPONSIBILITIES

- **The Associate Director for Policy will:**
 1. Review the RPS plan when appropriate and decide whether to continue, modify, or terminate it. Any changes should be filed with the Director, Office of Management (OM).
 2. Approve or disapprove employee requests for exemptions to RPS core hours.

- **The Director of the Regulatory Policy Staff will:**

1. Consider each employee's preference and supervise the appropriate schedule for each employee based on the needs of the work unit, workload requirements, and the requests of other employees.
2. Approve or disapprove employee requests for credit hours (a) outside the flexible bands, (b) in excess of 10 hours during weekends, and (c) in excess of 3 hours (2 hours if employee is part-time) on a normal workday.
3. Approve the unit's methods and procedures for accounting for time and attendance (e.g., time clocks or sign-in/out sheets).
4. Review and, if in agreement, forward employee requests for exceptions to RPS core hours to the Associate Director for Policy.

- **Employees will:**

1. Account for their time through use of a RPS designated time accounting system, such as a time clock or a sign in/out system.
2. Submit to their supervisor written requests for ongoing exceptions to RPS core hours for approval by the Director of RPS. Employees may not participate in maxiflex work schedules that contain exceptions to RPS core hours until they have received approval of their request.

- **Division of Management Services, Office of Management will:**

1. Provide information and guidance to Center employees on AWS policies and procedures.
 2. Review RPS supplemental plans for adherence to Center policies before submitting to Director, OM for clearance.
 3. Maintain a record of all RPS supplemental plans.
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EFFECTIVE DATE

This MAPP is effective upon date of publication.