
Office of Pharmaceutical Science

Flexible Workplace Arrangements Program for OPS

CONTENTS

PURPOSE
BACKGROUND
REFERENCES
DEFINITIONS
POLICY
RESPONSIBILITIES
PROCEDURES
REDELEGATION
EFFECTIVE DATE

PURPOSE This MAPP describes the policies and procedures governing the Flexible Workplace Arrangements Program (FWAP) for all components of the Office Pharmaceutical Science (OPS).

BACKGROUND

- The Flexiplace and Work-at-Home programs have been combined to create the Flexible Workplace Arrangements Program (FWAP). FWAP permits an employee to perform work away from his or her official duty station on a long- or short-term basis.
- Implementing FWAP within OPS requires balancing the need to work as a team with the individual needs of employees. The implementation of FWAP should not undermine the effectiveness and efficiency of this team effort and should promote professional conduct regardless of work location. Although many of the job responsibilities of OPS do not lend themselves to work routinely away from the primary worksite, extended periods of uninterrupted time may allow

some staff to devote concerted efforts to specific large projects, especially those with short deadlines. Also, working away from one's official duty station can provide other benefits, such as eliminating long commutes, allowing employees to work more productively, or simply improving their quality of life. Employees may also need to work at home for limited periods of time due to temporary physical limitations. While there are different reasons for participation in FWAP, employees, supervisors, and managers should ensure that implementing this program is not detrimental to the work of their organization or the Center.

REFERENCES

- FDA's Master Plan - Flexible Workplace Arrangements Program (1994)
 - CDER MAPP 4657.2, Flexible Workplace Arrangements Program (FWAP)
 - CDER MAPP 5000.1, Alternate Work Schedules (AWS)
-

DEFINITIONS

- **Long-term basis.** Employee works on an ongoing plan that provides for working away from the official duty station for more than two consecutive workweeks (one or more days each week).
- **Short-term basis.** Employee works away from the official duty station for two consecutive workweeks or less; applies to an employee who, due to compelling reasons, needs to work at home on a special assignment/project, or who has a temporary medical condition (e.g., illness, injury).
- **Telecommuting (Satellite) Work Centers.** Alternative work sites for employees who travel long distances between their homes and their official duty stations. See FDA's Master Plan for the specific locations of the centers and the facilities available at these locations.

- POLICY**
1. Participation in a long-term FWAP agreement is open to employees whose position descriptions include significant work that can reasonably be performed away from the official duty station. In addition, it is expected that participants on long-term FWAP agreements will have previously demonstrated their ability to perform work independently and have adequate knowledge of applicable regulations and expectations regarding their work to perform that work independently. Supervisors and approving officials will be expected to certify that the above conditions have been met when they approve long-term agreements, and they will be held accountable for ensuring that such conditions remain valid during the term of the long-term FWAP agreement.
 2. A supervisor or manager can elect for his/her organization not to participate in FWAP.
 3. Office directors have the option of implementing office specific supplemental plans outlining limitations or restrictions and submitting the supplemental plans to the Deputy Center Director (Pharmaceutical Science) for concurrence. These plans may be more restrictive, but may not be less restrictive than the OPS plan.
 4. Employee participation in FWAP is voluntary and may be terminated at any time either at the request of the employee or at the decision of management.
 5. All periods of participation in the FWAP, on a long-term and short-term basis, must be approved in advance. Long-term participation must be approved in advance using a FWAP agreement.
 6. Managers, supervisors, and team leaders may participate in a long-term FWAP agreement, but only up to one day per week.
 7. Only employees performing at the pass level (average of level D for Commissioned officers) or higher performance may participate in the FWAP. Performance standards for participating employees must be consistent with those used for employees who perform the same or similar tasks at the official duty station.

8. A FWAP agreement (Attachments B and C of MAPP 4657.2) is always required before an employee may participate in the FWAP on a long-term basis. FWAP agreements may cover a period of no longer than one year and must be renewed at least annually.
9. An employee participating in the FWAP on a short-term basis is not required to complete a FWAP agreement. However, if the approving official requires it, the immediate supervisor must certify in writing that it is necessary for the work to be performed away from the official duty station. The supervisor may require the employee to submit medical documentation, such as a health care practitioner's statement, if the short-term arrangement is based on a medical condition. The approving official for participation in the FWAP on a short-term basis is the office director.
10. Employees participating in the FWAP are expected to attend meetings at the official duty station even when such meetings are scheduled on the employee's day to work at an alternative work site. ***Failure to do so may result in the termination of the employee's participation in the program.*** (In the case of such meetings, the employee may not claim local travel time or expenses, unless the meeting is being held in a location other than the official duty station).
11. Employees participating in the FWAP on a long-term basis must be able to report to their official duty station within three hours upon request (under normal commuting conditions).
12. Employees participating in the FWAP on a long-term basis may include Mondays or Fridays as offsite days, but not both days.
13. Employees (other than managers, supervisors, and team leaders) in the long-term FWAP may participate two days per week, unless specifically approved to work more days by the Deputy Center Director for OPS or Deputy Office Director for OPS, on a case-by-case basis and based on individual extenuating circumstances. An offsite day that falls on a holiday cannot be substituted for another day that week. The total number of days away from the official work site is limited to two days per week to include FWAP and professional development time, unless approved for a medical condition.
14. The work schedule approved under a FWAP agreement must be observed by the employee. Duty time may not be used for purposes other than official work. Although participation in the FWAP may provide employees more time to accomplish family responsibilities, ***the FWAP is not to be used by employees***

to care for young children or other dependents during the agreed upon scheduled hours of work.

15. Employees participating in the FWAP may work a maxiflex schedule in accordance with the OPS Alternate Work Schedules plan (see CDER MAPP 5000.1). The schedule must be consistent with the nature of the work being performed and the frequency of communication necessary with those at the official work site or with work contacts in other locations. An employee may *not* earn credit time while working at home under FWAP, except in extenuating circumstances approved in advance by the office director.
16. Supervisors must ensure that employees working away from the official duty station are readily available to management officials, co-workers, and constituents.
17. No work schedule that includes a break of more than one hour may be established for an employee participating in the FWAP.
18. All pertinent time and attendance, leave, and pay regulations must be observed by employees and managers when an employee participates in the FWAP, including established time reporting procedures and documentation.
19. Suitable training/orientation should be conducted for employees approved for participation in the FWAP and their supervisors before an employee begins long-term participation in the FWAP.
20. The Director, Division of Commissioned Personnel, must be notified whenever approval is given to a Commissioned Officer to participate in the FWAP on a long-term basis. The Center's FWAP coordinator must send a copy of the approved work agreement to the Division of Commissioned Personnel to be recorded as a supplement to the existing billet and to be placed in the officer's official personnel file.
21. An employee may switch their scheduled offsite days in the same week by prior agreement of the team leader and approval of the supervisor/division director. On days where weather conditions are hazardous, approval may be granted after the fact.

RESPONSIBILITIES

- **Deputy Center Director for OPS or designee:**
 1. Approve exceptions to the OPS supplemental plan.
 2. Approve or disapprove short- and long-term participation in the FWAP for employees of the Immediate Office of OPS.
 3. Determine on a continuing basis when the work requirement of certain positions in the Immediate Office preclude employees in those positions from participating in the FWAP.
 4. Approve modifications to the terms of employee participation in the FWAP or terminate the participation as necessary when it is in the interest of the agency/center/office.
 5. Forward approved agreements to the center's FWAP coordinator for maintenance and record-keeping purposes.
 6. Approve requests for exceptions to participate more than two days per week.

- **Office Directors:**
 1. Decide if the office will participate in the FWAP. If so, either adopt the OPS plan as written, or develop office-specific supplemental plans, if needed, outlining limitations, restrictions, etc., and submit the office-specific plan to the Deputy Center Director for OPS.
 2. Determine on a continuing basis when the work of certain positions precludes employees in those positions from participating in the FWAP.
 3. Determine the timekeeping mechanism to be used by participants, timekeepers, and supervisors.
 4. Review and sign the FWAP agreement before forwarding to the FWAP coordinator.

5. Ensure that the office's overall performance is not negatively affected by this program and that the office is adequately staffed to meet all performance expectations at all times.
6. Review and sign requests for exceptions to participate more than two days per week before forwarding to Deputy Center Director for OPS.

- **Supervisors/Division Directors:**

1. Determine on a continuing basis when the work requirement of certain positions precludes employees in those positions from participating in the FWAP.
2. Certify in writing that it is necessary for an employee to perform work at home on a short-term basis (if required by the approving official).
3. Review and sign the FWAP agreement before forwarding to the division director/office director and/or FWAP coordinator.
4. Emphasize that the FWAP is *not* to be used to care for young children or other dependents or conduct personal business during the agreed upon scheduled hours of work.
5. Inform timekeeper of employees participating in FWAP and of any official changes made to work agreements.
6. Determine, on a continuous basis, that the work quantity, quality and performance of the employee on a long-term FWAP continues to meet the expectations for passing job performance. Such determination shall be made in writing to the approving official yearly along with continuous monitoring. If such a determination cannot be made, participation by the employee shall be terminated.
7. Review and sign requests for exceptions to participate more than two days per week before forwarding to the office director.

- **Center FWAP Coordinator in the Division of Management Services:**

1. Advise supervisors and employees concerning the implementation of the FWAP.

2. Disseminate FWAP materials and information.
3. Ensure that employees submit requests to participate in the FWAP (if required).
4. Review agreements for adherence to pertinent laws, regulations, and policies, including hours of work, pay, and leave before forwarding to approving official.
5. Forward agreements to the approving official.
6. Maintain appropriate documentation concerning program participation (e.g., signed agreements, data for annual reports).
7. Handle day-to-day responsibility and accountability for the program. This includes ensuring that the agreements are completed in a timely manner and are in conformance with applicable rules and regulations, appropriate approvals are obtained, and employees and their supervisors are trained *prior* to participation in the program.
8. Provide appropriate training for employees participating in the FWAP and their supervisors.
9. Arrange, through Division of Compensation, Benefits, and Training (DCBT), employee use of satellite work centers.
10. Submit required data regarding employee participation to DCBT no later than December 30 each year.
11. Sign each agreement.

- **Employees:**

1. Discuss participation in the FWAP or modifications to a FWAP agreement with their supervisor.
2. Complete and submit a FWAP agreement, for long-term participation, to their supervisor.
3. Accurately and personally record starting time and ending times using timekeeping mechanism approved by office/division.

PROCEDURES

- **Employee will** discuss participation in FWAP with his/her supervisor.
 - **The supervisor and employee will** attend a training session with the Center FWAP coordinator to discuss agency/center/office policies, procedures, work agreements, and questions/concerns (if not previously trained).
 - **Employee will** complete and submit the appropriate FWAP agreement (civilian or Commissioned Corps) to his/her supervisor.
 - **Supervisor and/or Office Director will** review agreement for completeness, sign the agreement indicating concurrence, and forward to the CDER FWAP coordinator for review.
 - **CDER FWAP Coordinator will** review the agreement and forward it to the approving official (office director).
 - **Approving official (Office Director) will** approve/disapprove the agreement and forward it to the CDER FWAP coordinator.
 - **The CDER FWAP Coordinator will** maintain a record of all participants and provide any requested information to the Agency and/or Center management.
-

REDELEGATION

The Center Director has redelegated authority to approve FWAP requests to office directors with no further redelegation authorized.

EFFECTIVE DATE

This MAPP is effective upon date of publication