

ALTERNATE WORK SCHEDULES (AWS)

1. PURPOSE. The standard tour of duty for EPA employees is 8:00am - 4:30pm, Monday through Friday, allowing for an 8 hour work day with 30 minutes for lunch. This document sets forth the regional policies on alternate work schedules (AWS), including Flexible Work Schedule (fixed starting time throughout the pay period), Daily Flexible Schedule (variable starting times each day), and Compressed Work Schedule (5/4/9).

These policies are designed to increase scheduling flexibility for individual employees while maintaining and enhancing the mission of the Agency. They reflect the recognition that regional employees have different personal and professional responsibilities that result in the need for differing work schedules, and attempt to accommodate these varied needs.

2. LEGAL AUTHORITY. Public Law 99-196 and the Region 6 Supplement No. 2 to the Master Collective Bargaining Agreement Between EPA and AFGE (Article 22, Hours of Work, Daily Flexible Schedule).

3. SCOPE. Permanent and temporary EPA employees, supervisors, and managers may request any of the alternate work schedule options. If an individual request to participate in one of the options must be disapproved (for example, because of problems in providing office coverage), the supervisor will provide the reason in writing to the employee. EPA has no authority to extend these options to contract employees.

4. RESPONSIBILITIES. While these programs are generally designed to accommodate individual employees, there must be a balance with workload, quality of work, and mission accomplishment. Therefore, the responsibilities of the programs must be shared by both supervisors and employees, as follows:

a. Supervisors.

(1) Insure that the mission of the unit is not impaired as a result of adjusted employee work hours.

(2) Insure that there is adequate office coverage each work day.

(3) Approve or deny requests from employees to work an AWS. If denying a request, explain to the employee in specific terms in writing why the request has been disapproved.

(4) Insure that supervision is provided to employees at all times. For example, two supervisors may agree to provide coverage for each other, or a supervisor could designate a senior employee as acting during flexible hours when the supervisor will not be there.

(5) Insure that accurate time and attendance records are maintained for all employees.

b. Employees.

(1) Submit requests to work an AWS to supervisors for approval. (See attached forms.)

(2) Adhere to the approved schedule.

(3) Maintain productivity in both the quality and quantity of work produced.

5. GENERAL (INFORMATION APPLICABLE TO ALL AWS OPTIONS)

a. Office hours, during which Regional Offices must be adequately staffed to provide service and assistance to the public and other customers, continue to be 8:00am to 4:30pm.

b. Regardless of the option selected, all full time employees must account for 80 hours per pay period by either hours worked and/or leave.

c. The Regional work day will extend from 6:30am to 6:30pm. Employees may not work before 6:30am or after 6:30pm as part of their regular schedule.

d. All employees are required to work the core hours of 9:00am to 3:00pm, Monday through Friday, or account for their absence by leave or otherwise.

e. The established lunch period in Region 6 is 11:00am - 1:00pm. Lunch breaks are normally 30 minutes. However, on the forms specifying the desired work schedule, employees may elect to take either 45 minutes or 60 minutes for lunch, which would extend the length of the work day. Employees should leave for lunch no sooner than 11:00am, and no later than 1:00pm. Exceptions to this time frame may be made in cases of workload exigencies - consult your supervisor. Employees are not allowed to "skip" lunch so as to leave work early. Employees on duty throughout the lunch period are required to take a lunch break (i.e., if you arrive for work by 11:00am, and are still at work at 1:00pm, your time and attendance record for the day will reflect that a lunch period was taken).

f. To the extent practicable, meetings and training should be scheduled during the core hours.

g. Changes in AWS schedules will be permitted, subject to supervisory approval. However, employees should make every effort to keep changes in work schedules to a minimum. AWS Schedules cannot be combined within the same pay period.

h. Willfully falsifying time and attendance information and failure to comply fully with the governing rules may result in:

(1) Appropriate disciplinary action.

(2) Prohibition from participating in the Alternate Work Schedule Program, and the supervisor determining the employee's work schedule.

6. POLICY/PROCEDURES - FLEXIBLE WORK SCHEDULE (FWS). This scheduling option allows employees to select a fixed starting time other than 8:00am, but still provides for an 8 hour work day. Employees will be permitted to request a starting time between 6:30am and 9:00am. The starting time is the same for each day of the pay period. Employees wishing to participate in the FWS shall submit an R6-57 (Flexible Work Schedule Request, Appendix B-1) to their immediate supervisor.

7. POLICY/PROCEDURES - DAILY FLEXIBLE WORK SCHEDULE

a. Description of DFS. "Daily Flexible Schedule" (DFS) means an eight (8) hour work day in which the employee may vary the time of arrival and/or departure on a daily basis. A flexible work schedule includes Core Time and Flexible Bands. "Flexible Bands" mean the specific periods of the workday during which employees may opt to vary their arrival and departure times. In EPA Region 6 the Flexible Bands are 6:30am to 9:00am and 3:00pm to 6:30pm. All DFS employees are required to work the core hours of 9:00am to 3:00pm, Monday through Friday, or account for their absence.

b. General Provisions.

(1) Participation. Employees wishing to participate in DFS or change their anticipated work schedule shall submit an R6-____ (Daily Flexible Schedule Request, Appendix B-2) to their immediate supervisor. If an employee's request to participate must be disapproved, or if the supervisor subsequently determines that an employee can no longer participate, the supervisor will provide the reason in writing to the employee.

(2) DFS Basic Work Requirement. A full-time employee on DFS must work 8 hours per day, 5 days per week (Monday through Friday) for a total of 40 hours per week and 80 hours a biweekly pay period. Part-time employees may participate in DFS, however, they may only earn credit hours on those days that they are scheduled to work 8 hours.

(3) In-Office Training and Meetings. Consistent with operational needs, training, meetings and travel will be scheduled to minimize interference with the use of the flexible bands. On days that training and/or meetings are scheduled, employees will arrange their time of arrival and departure so as to be present for such training and/or meetings.

(4) Out-of-Office Training and Events. Employees scheduled to be out of the office for training, court leave, or other events will arrange their time of arrival and departure to correspond with the starting and stopping times of the event. Nothing in this paragraph changes the basic work requirement.

(5) Timekeeping Procedure.

(a) All employees shall manually sign in/sign out each day for the period worked on a sequential sign in/sign out log which is located near the supervisor and/or timekeeper. Each employee is required to enter his or her name, time of arrival and departure, and other exceptions to the normal workday. Employees working at home on flexiplace must "sign-in" when they begin work each day, and "sign-out" at the end of the day. They do this by either calling their supervisor at both of those times, or sending them an e-mail message. The choice is the supervisor's. The supervisor annotates the sign-in/out log with the starting and ending times.

(b) Corrections or late entries on the log must be initialed by the supervisor.

(c) Employees in travel status will annotate their daily hours of work on their travel voucher.

(d) Each supervisor shall designate one clock as the "official clock."

(6) Start Times. If an employee arrives at the office prior to beginning of the flexible band, his/her sign-in time will be the time the Flexible Band is scheduled to start.

(7) Overtime/Compensatory Time. Employees on a DFS may earn overtime and/or compensatory time in accordance with applicable rules and regulations. Employees on DFS may not earn overtime pay as a result of including "suffered or permitted" hours as hours of work. Employees on DFS may not carry a balance of more than 24 hours compensatory time.

(8) Excused Absence. Employees on a DFS may be granted excused absence with pay under the same circumstances as employees covered by other work schedules, except for periods of tardiness (see below). For purposes of determining excused absences, employees shall designate their "normal work schedule" on the DFS request form. Supervisors may request a revision to the designation if demonstrated work patterns differ significantly from the designated "normal work schedule."

(9) Tardiness. Under DFS, you are considered tardy if you begin work after the start of the core hours (9:00am), and such time must be charged to leave or credit hours.

c. Credit Hours

(1) General Provisions.

(a) Employees who are participating in the Daily Flexible Schedule may accrue credit hours for hours worked in excess of the 8 hour basic work requirement. Employees may not earn credit hours on any other work schedule.

(b) Credit hours are distinguished from overtime hours in that they are not officially ordered and approved in advance by management. Credit hours must be worked within the Flexible Bands.

(c) Employees with accrued credit hours may not change to a Fixed Work Schedule until all credit hours have been expended.

(d) When the supervisor determines that an employee is no longer approved to work Daily Flexible Schedule, or when an employee leaves the agency, the employee must be paid for accumulated credit hours at his or her current rate of pay. Payment for accumulated credit hours is limited to a maximum of 24 hours for a full-time employee. For a part-time employee, the limit is one-quarter of the employee's biweekly work requirement. An employee may not be compensated for credit hours for any other reason.

(e) When an employee uses credit hours, such hours are to be counted as
a
part of the basic work requirement to which they are applied. An employee is entitled to his or her rate of basic pay for credit hours, and credit hours may not be used by an employee to create or increase entitlement to overtime pay.

(2) Authorization of Credit Hours.

(a) The Supervisor's approval of an employee's election to work a Daily Flexible Schedule shall constitute authorization for the employee to work credit hours. Thereafter, credit hours are worked at the election of the employee consistent with this Appendix.

(b) If the employee has elected to work credit hours, and overtime is subsequently made available, the employee will be afforded the opportunity to elect to work the overtime.

(3) Signing for Credit Hours.

All employees will account for credit hours worked on the sequential sign-in/sign-out log provided by management.

(4) Earning Credit Hours.

(a) Under normal circumstances, an employee may earn a maximum of two (2) credit hours per workday. In special workload circumstances involving a degree of urgency, supervisors may authorize up to an additional one and one-half (1 ½) hours per day.

(b) Full-time employees may not accrue a balance in excess of twenty four (24) hours. Part-time employees may not accrue a balance in excess of one-fourth of their biweekly work requirement.

(c) Employees may earn credit hours in an initial increment of one-half hour and subsequent increments of one-quarter hour.

(d) All credit hours must be accrued within the Flexible Band.

(e) Credit hours must be earned in advance of their use.

(5) Using Earned Credit Hours.

(a) Credit hour use will be requested on standard form SF-71 (E-forms). Except in workload circumstances involving a degree of urgency, the Supervisor's approval to use credit hours shall be routine.

(b) Employees may use credit hours in increments of one-quarter hour.

(c) In the event of an agency closure or early dismissal, an employee using credit hours for that day will only be charged for credit hours up to the time of the closure or dismissal.

(6) Carry Over of Credit Hours.

Subject to the limitations set forth in Section 7.B.4, accrued credit hours may be carried over from the pay period in which they were earned to succeeding biweekly pay periods. Employees shall not be subject to any mandatory time period for using credit hours.

8. POLICY/PROCEDURES - COMPRESSED WORK SCHEDULE

a. Description of CWS. The Compressed Work Schedule (commonly referred to as CWS or 5-4/9) is a fixed work schedule consisting of five workdays one week and four workdays the other week of each pay period. Workdays are nine hours long, except that, to equal an eighty hour pay period, one workday is shortened to eight hours. There is one day off each pay period. Each workday is lengthened by the duration of the employee's lunch period.

b. Participation. An employee wishing to participate in the CWS, or to make a permanent change in his or her compressed day off or 8-hour day, should submit an R6-138 (Compressed Work Schedule Request, Appendix B-3) to their immediate supervisor.

c. Scheduling. An employee may request any day of the pay period as his or her regular compressed day off, and any day of the pay period as their eight hour day. The approval or modification of all work schedules is at the discretion of management. Employees must select a fixed starting time between 6:30am and 9:00am.

Under special circumstances, employees on CWS may request a temporary change to a different compressed day off, and/or a different 8 hour day, within the same pay period. Such a request must be made in writing on an R6-139 (Compressed Work Schedule Pay Period Schedule Change, Appendix B-4) normally before the beginning of the affected pay period. Nothing precludes Management from approving a request made after the beginning of the pay period. Management has the right to request (via the R6-139) temporary changes to an employee's schedule to permit training, travel for work purposes, and other needs. In these situations, the supervisor may ask the employee to shift the compressed day off to another day in the same pay period, or change the employee's schedule to an 8-hour day, 40-hour week for one or two pay periods.

d. Timekeeping. Time off during an employee's scheduled work day is charged to the appropriate leave category, unless the employee is authorized compensatory time or has an excused absence (such as administrative leave for bad weather). For example, a full-time CWS employee who takes one day of annual leave will be charged either 8 or 9 hours as scheduled. Hours worked and/or charged to leave, holidays, etc. must equal the normal total for each pay period (e.g., 80 hours per pay period for a full-time employee).

The compressed work schedule option does not decrease or increase any employee's entitlement to leave.

e. Holidays.

(1) Full-time Employees. If a holiday falls on what would be a CWS employee's scheduled workday, the employee is entitled to pay for what would have been that day's scheduled work--not to exceed 9 hours. If a holiday falls on a compressed day off, the

employee is entitled to the previous work day off. For timekeeping purposes, the compressed day stays the same. The employee is given a holiday day off "in lieu of" the originally scheduled holiday.

(2) Part-time Employees. If a holiday falls during a part-time employee's compressed work schedule, the employee is entitled to pay for the work hours scheduled for that day, not to exceed 9 hours. A part-time employee is not entitled to an alternate day off if a holiday falls on what is a regularly scheduled non-work day for him or her.

(3) Temporary Employees. Temporary employees whose appointments entitle them to paid leave for holidays will be subject to the above provisions, based on whether they work full-time or part-time schedules.

f. Overtime and Compensatory Time. Supervisors retain the right to order and approve overtime or compensatory time under CWS subject to applicable overtime provisions. Overtime or compensatory time for CWS employees is work in excess of 9 hours on a 9-hour day, 8 hours on an 8-hour day, or any hours worked on a CWS day off or weekend. The critical factor is that the employee is required to work more than 80 hours in a pay period, and therefore must be compensated with overtime pay or compensatory time.

9. FREQUENTLY ASKED QUESTIONS (FAQ's). Frequently asked questions for concerning Alternate Work Schedules and other related issues can be found in Appendix A.

10. SUPERSESSION. This Order supercedes the following Regional Orders:

- a. R-3160.1 - Flexible Work Schedule (dated December 6, 1976).
- b. R-3160.51 - Compressed Work Schedule (dated January 2, 1990).

11. APPENDIX.

- a. Frequently Asked Questions (FAQ's).
- b. Forms
 - (1) Flexible Work Schedule (FWS) Request, R6-57
 - (2) Daily Flexible Schedule (DFS) Request, R6-____
 - (3) Compressed Work Schedule (CWS) Request, R6-138
 - (4) Compressed Work Schedule (CWS) Pay Period Schedule Change, R6-139.

APPENDIX A – Frequently Asked Questions (FAQ's)

- Q1:** The DFS rules say the morning flexible band is 6:30am - 9:00am. Employees can not start work before 6:30am. Does this rule apply to CWS employees?
- A1:** Yes. Any time worked before 6:30am or after 6:30pm would come under the overtime/compensatory time rules, and must be approved in advance by the supervisor.
- Q2:** I am on DFS. I know the morning flexible band is 6:30 - 9:00, but suppose I hit a lot of traffic, or have a flat tire, and don't make it in until 9:20. Do I have to take leave? I thought I could just make it up in the afternoon.
- A2:** Employees on DFS are required to be on duty by 9:00am, or account for their absence with some form of leave. They do not have the ability to "just make it up" in the afternoon. They may take credit hours or annual leave. If they were late because of an early morning doctor's appointment, or some other medical reason, they could even take sick leave.
- Q3:** I am on CWS. I am scheduled to work 7:00am - 4:30pm. What am I supposed to do if I don't arrive until 7:25am? Don't I automatically get up to 59 minutes of administrative leave for these situations?
- A3:** Chapter 9 of the EPA Leave Manual, Excused Absence, states that tardiness and other brief absences from duty (for periods of less than one hour) may be handled in any of the following ways:
- excuse the employee for adequate reasons
 - require additional work equivalent to the period of absence or tardiness
 - charge against compensatory time the employee has to their credit
 - charge against annual leave
 - charge as leave without pay
 - charge as absence without leave

The choice on how to handle the absence is the supervisor's, except that charges to leave or leave without pay can only be done if the employee agrees and requests the charge. Supervisors are not expected to just excuse the tardiness, unless it occurs infrequently and irregularly. Employees are not "entitled" to routine administrative leave for being tardy. Employees are responsible for notifying their supervisor whenever they are tardy, and discussing with the supervisor how the tardiness will be handled.

As indicated in **Q2**, two of these options (excused leave and requiring additional work) are NOT available to employees on DFS.

- Q4:** What are the rules for going to the fitness Center if I'm on DFS? CWS?
- A4:** Regional Order R6-1440.6, EPA Region 6 Fitness Center Operation, covers many of the rules governing use of the fitness center. The fitness center may NOT be used by employees on duty time.

DFS employees can only use the center before work, after work, during the lunch period, or during a period of leave. Employees who want to extend their lunch period or take some other time during the day to use the center must submit an SF-71 requesting to use annual leave or credit hours.

CWS employees can also use the center before work, after work, during the lunch period,

or during a period of leave. However, with written supervisory approval, they may rearrange their work hours to allow additional workout time in conjunction with their lunch period, or other periods during the day. In this case, an SF-71 would not be required. However, the employee must extend their work day by a period of time equal to the time they spend in the fitness center. Refer to R6-1440.6 for additional information.

Q5: What do I need to do if I am on DFS and forget to sign in when I first arrive?

A5: If this occurs, you should sign in as soon as possible and have your supervisor initial the log. It is your responsibility to sign in as soon as you arrive at the office.

Credit Hours

Q6: I know we can only earn credit hours up to 6:30 PM, but the policy also says supervisors can approve, under "workload circumstance involving a degree of urgency," an additional 1 ½ hours. Does this mean the supervisor can approve me to work past 6:30pm and earn credit hours if we have such workload circumstances?

A6: No. All credit hours MUST be earned during the flexible band – 6:30am - 6:30pm. To get approval to work the extra 1 ½ hours, the employee must arrive at work early enough to get the time in before 6:30pm. Employees who need to work past 6:30pm should request overtime or comp time.

Q7: Can I earn more than 24 credit hours, as long as I use down to 24 before the end of the pay period?

A7: No. Your credit hour balance can never exceed 24 hours. The new DFS credit hour tracking system has this limit built into the program. When your balance reaches 24 hours, no additional hours will accumulate.

Q8: I understand credit hours you have earned are yours to use whenever you want to. For example, if I need to run an errand for a couple hours during the day, all I need to do is sign-out when I leave, sign back in when I return, and then give my supervisor an SF-71 to let him know I was gone.

A8: To use credit hours, an employee needs to follow the same rules as requesting annual leave. The supervisor needs to be consulted BEFORE you leave in order to approve your absence. They may request that you wait until you get back to do the SF-71, since you may not know the beginning and ending times when you leave, but they should be aware of, and must approve, your absence before you go. In addition, employees do not sign-out and then back in when they have periods of leave during the middle of the day. There should be only one sign-in and one sign-out each day.

Leave Issues

Q9: I am on DFS and I normally work 7:00am - 3:30pm. If I'm running late and don't get here until 9:00am, can I take annual leave from 7:00am - 9:00am so I can leave at my regular time?

A9: No. Employees on DFS can not take leave before 9:00am. However, you could submit a leave slip for two hours in the afternoon (3:30pm -5:30pm) and accomplish the same purpose.

Flexiplace

Q10: I am on both DFS and regular flexiplace. On the days that I work at my alternate work location, I revert to my fixed schedule of 7:00 - 3:30 so I don't have to sign-in or sign-out. Is this correct?

A10: No. Employees may not mix DFS and fixed work schedules – you must be on one or the other for the entire pay period. DFS employees working at home must “sign-in” when they begin work each day, and “sign-out” at the end of the day. They do this by either calling their supervisor at both of those times, or sending them an e-mail message. The choice is the supervisor's. The supervisor annotates the sign-in/out log with the starting and ending times.

Miscellaneous

Q11: I know the limit on the credit hours balance is 24 hours, but I also heard there was a limit on compensatory time balances. Can you explain?

A11: Normally, employees on a fixed schedule may accumulate up to 60 hours of compensatory time. With certain higher approvals (in Region 6 this means the Assistant Regional Administrator for Management), up to 80 hours may be accumulated. However, DFS employees are limited to 24 hours of accumulated compensatory time.

**FLEXIBLE WORK SCHEDULE (FWS)
REQUEST**

Employee : _____ Mail Code: _____
(please print)

I wish to participate in the Region 6 Flexible Work Schedule (FWS) effective with the pay period beginning _____. I request that my daily 8-hour work schedule be established as:

Monday through Friday - _____ am to _____ pm

Lunch Period (check one): 30 minutes _____ 45 minutes _____ 60 minutes _____

Employee's Signature: _____ Date: _____

ACTION BY SUPERVISOR

Approved _____ Disapproved _____

Reason for Disapproval: _____

Supervisor's Signature: _____ Date: _____

**DAILY FLEXIBLE SCHEDULE (DFS)
REQUEST**

Employee : _____ Mail Code: _____
(please print)

I wish to participate in the Region 6 Daily Flexible Schedule (DFS) effective with the pay period beginning _____. My anticipated 8 hour schedule for each day of the pay period is shown below.

ANTICIPATED PAY PERIOD SCHEDULE

<u>WEEK 1</u>		<u>WEEK 2</u>	
Monday	_____ am - _____ pm	Monday	_____ am - _____ pm
Tuesday	_____ am - _____ pm	Tuesday	_____ am - _____ pm
Wednesday	_____ am - _____ pm	Wednesday	_____ am - _____ pm
Thursday	_____ am - _____ pm	Thursday	_____ am - _____ pm
Friday	_____ am - _____ pm	Friday	_____ am - _____ pm
Lunch Period (check one): 30 minutes _____		45 minutes _____ 60 minutes _____	

Employee's Signature: _____ Date: _____

ACTION BY SUPERVISOR

Approved _____ Disapproved _____

Reason for Disapproval: _____

Supervisor's Signature: _____ Date: _____

COMPRESSED WORK SCHEDULE (CWS) REQUEST

Employee : _____ Mail Code: _____
(please print)

I wish to participate in the Region 6 Compressed Work Schedule (CWS) effective with the pay period beginning _____. My requested schedule is shown below.

PAY PERIOD SCHEDULE

(Note: The start and stop times are the same for each 9-hour day in the pay period. One day should reflect only 8 hours scheduled. Show "Day Off" on the day you are requesting as your CWS day off.)

WEEK 1

Monday _____ am - _____ pm

Tuesday _____ am - _____ pm

Wednesday _____ am - _____ pm

Thursday _____ am - _____ pm

Friday _____ am - _____ pm

Lunch Period (check one): 30 minutes _____ 45 minutes _____ 60 minutes _____

WEEK 2

Monday _____ am - _____ pm

Tuesday _____ am - _____ pm

Wednesday _____ am - _____ pm

Thursday _____ am - _____ pm

Friday _____ am - _____ pm

Employee's Signature: _____ Date: _____

ACTION BY SUPERVISOR

Approved _____ Disapproved _____

Reason for Disapproval: _____

Supervisor's Signature: _____ Date: _____

**COMPRESSED WORK SCHEDULE (CWS)
PAY PERIOD SCHEDULE CHANGE**

Employee : _____ Mail Code: _____
(please print)

I request/agree (*circle one*) to change my:

- _____ CWS day off, or
- _____ 8-hour day, or
- _____ temporarily terminate CWS
(*check one*)

from _____ to _____ for the following reason:

Employee signature: _____ Date: _____

Approved _____ Disapproved _____

Supervisor's signature: _____ Date: _____

Return Receipt

Your message: Re: Demand to Bargain Re: Official Notice of Change in Working Conditions for Certain
Bargaining Unit Employees
was received by: Jeanne Schulze/R6/USEPA/US
at: 11/28/2011 09:31:37 AM